

# **CROSSOVER BILLS**

## **(Bills Which Passed Third Reading)**

HAWAII STATE LEGISLATURE

REGULAR SESSION OF 2009

SHOWING ACTIONS TAKEN AS OF

March 12, 2009

Prepared by the:



**LEGISLATIVE REFERENCE BUREAU SYSTEMS OFFICE**

State Capitol, Room 413  
415 South Beretania Street  
Honolulu, HI 96813

*Caveat: While all data are believed accurate, they are subject to change pending confirmation against official records kept by the respective Chief Clerk's offices.*

## **FOREWORD**

This publication includes all bills in the current legislature which passed Third Reading as of March 12, 2009. This publication has been created by the Legislative Reference Bureau - Systems Office.

This publication includes such data as the bill number, title, introducer, description, and current status of the bill. It reflects data recorded up to and including March 12, 2009.

Ken H. Takayama  
Director  
Legislative Reference Bureau

March 2009

## SENATE BILLS THAT PASSED THIRD READING

- SB0001 SD1 (SSCR 32) RELATING TO OPIHI.  
Introduced by: Hee C  
Establishes provisions relating to opihi harvesting and possession, restricted. Prohibits any person at any time to take, harvest, or possess opihi from any coastal area or nearshore waters of off shore islets in the State, and of the islands of the State. Further prohibits any person at any time of the year to take, harvest, or possess opihi from below the waterline. Further prohibits a person to be in possession of equipment or any apparatus that would allow a person to see and remain underwater, an instrument that is commonly used as a tool to harvest or take opihi such as opihi knife, and live opihi. Further prohibits any person to take or harvest opihi from above the waterline of the coastal areas or nearshore waters of the State or be in possession of opihi within the State during the closed season of April 1st through September 30th. Requires the division of aquatic resources of the department of land and natural resources to submit an annual report to the legislature. -- Establishes provisions relating to opihi harvesting or taking, Oahu, prohibited. Prohibits any person at any time to take or harvest opihi from any coastal area or nearshore waters of the island of the Oahu. Act to be repealed on June 30, 2014 (sunset). -- SB0001 SD1  
Current Status: Feb-17 09 Introduction/Passed First Reading - House  
Feb-20 09 Multiple Referral to WLO then JUD
- SB0006 SD2 (SSCR 772) RELATING TO REAL PROPERTY.  
Introduced by: Hee C  
Establishes provisions relating to uniform property electronic recording act. Allows the registrar of the bureau of conveyances to accept electronic documents with electronic signatures for recording. Allows the registrar to furnish copies of maps or plans in photographic, electronic or electrostatic form. Allows the registrar to issue nonattested documents in photographic, electronic or electrostatic form. Allows the registrar to convert into electronic form information or documents recorded before the registrar was given the authority to record electronic documents. -- SB0006 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then JUD then FIN
- SB0015 SD1 (SSCR 511) RELATING TO THE POWER OF ARREST.  
Introduced by: Taniguchi B  
Amends provisions relating to officer of the US customs and border protection service; arrest powers. Repeals authorization for an officer of the Citizen and Immigration Services to make arrests without a warrant. -- SB0015 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD
- SB0019 SD1 (SSCR 588) RELATING TO PROCUREMENT.  
Introduced by: Taniguchi B  
Establishes provisions relating to public works construction; apprenticeship agreement. Requires that a governmental body that enters into a public works contract having an estimated value of more than 250,000 dollars shall decrease the bid amount by 5 per cent if the bidder is a party to an apprenticeship agreement registered with the department of labor and industrial relations. Requires that if awarded the contract, the bidder shall continue to certify monthly in writing that the bidder is a party to a registered apprenticeship agreement for the entire duration of the contract. -- SB0019 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD
- SB0021 SD1 (SSCR 601) RELATING TO GOVERNMENT.  
Introduced by: Taniguchi B  
Establishes requirements for contracts for goods, services, construction, or health and human services using federal funds authorized by the American Recovery and Reinvestment Act of 2009, and matching state funds. Provides that selection of a contractor or contractors shall be based on the criteria established by in the request for interest. Requires the head of purchasing agency to designate a 3 person committee to review and evaluate submissions and requires the head of purchasing to award the contract based upon the information provided by the committee. Waives the expenditure ceiling on the use of temporary assistance for needy families program funds (TANF) in order for the department of human services to utilize funds provided by the Recovery Act. Act repealed on June 30, 2009 (sunset). -- SB0021 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN
- SB0032 SD1 (SSCR 360) RELATING TO FUEL.  
Introduced by: Baker R

## SENATE BILLS THAT PASSED THIRD READING

- Amends Act 209, session laws of 2007 by specifying that the provisions increasing the taxes for liquid fuel and diesel oil shall not be repealed (sunset). -- SB0032 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then FIN
- SB0034 SD1 (SSCR 181) RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT.  
Introduced by: Baker R, Green J  
Amends provisions relating to revocation, suspension, and fine under real estate brokers and sales persons law. Allows the real estate commission to revoke or suspend a real estate licensee acquiring an ownership interest, directly or indirectly, or by means of a subsidiary or affiliate, in any distressed property that is listed with the licensee or within 365 days after the licensee's listing agreement for the distressed property is terminated. Redefines distressed property consultant to exclude a person licensed as a real estate broker or real estate sales person in Hawaii when acting in the capacity of a real estate broker or real estate salesperson. -- SB0034 SD1  
Current Status: Feb-24 09 Introduction/Passed First Reading - House  
Feb-25 09 Multiple Referral to CPC then JUD
- SB0035 SD1 (SSCR 435) RELATING TO MORTGAGES.  
Introduced by: Baker R  
Amends provisions relating to definition under the mortgage rescue fraud prevention act. Redefines distressed property consultants to exclude public accountants and certified public accountants on the list of exclusions. -- SB0035 SD1  
Current Status: Feb-24 09 Introduction/Passed First Reading - House  
Feb-25 09 Multiple Referral to CPC then JUD
- SB0037 SD2 (SSCR 703) RELATING TO INTRA-COUNTY FERRY SERVICE.  
Introduced by: Baker R, Tsutsui S, English J  
Provides a general excise tax exemption of the value or gross proceeds from the sale of liquid fuel consumed in the operation of an for intra county ferry services that serves a county with a population of less than 500,000 and that includes at least 3 islands inhabited by permanent residents. -- SB0037 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TRN then FIN
- SB0038 SD2 (SSCR 642) RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES.  
Introduced by: Baker R, Hemmings F, Green J, English J  
Amends provisions relating to the cigarette tax and tobacco tax law. Redefines tobacco products to include smokeless tobacco and pipe tobacco. Increases the excise tax on the wholesale price of each tobacco product sold. Provides that 33 1/3 per cent of the taxes collected on tobacco products shall go to the health systems special fund. -- SB0038 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then FIN
- SB0039 RELATING TO REPORTS ON THE HAWAII CANCER RESEARCH SPECIAL FUND.  
Introduced by: Baker R, Green J  
Amends provisions relating to the Hawaii cancer research special fund. Requires the university of Hawaii to semi annually report to the legislature on the moneys in the fund. -- SB0039  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HED then FIN
- SB0043 SD2 (SSCR 832) RELATING TO PHYSICIAN WORKFORCE ASSESSMENT.  
Introduced by: Baker R, Ige D, Green J  
Establishes provisions relating to the John A. Burns school of medicine special fund. Requires the fund to be administered and expended by the university of Hawaii to support the school's activities related to physician workforce assessment and planning. -- Establishes provisions relating to physician workforce assessment fee; license; physician workforce information. Requires that whenever a license is issued or renewed, a physician shall assess a fee of 60 dollars to be deposited into the fund. Repealed on June 30, 2012 (sunset). -- Appropriation to implement statewide physician workforce assessment and planning. Appropriation out the compliance resolution fund to the fund. Requires the school to report to the legislature. (\$\$) -- SB0043 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then HED/ CPC/ then FIN
- SB0044 SD2 (SSCR 671) RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION.

## SENATE BILLS THAT PASSED THIRD READING

- Introduced by: Baker R, Green J, Ige D, Tsutsui S, English J  
Requires the department of health to assume the total amount of all liabilities and debts or other obligations of the Hawaii health systems corporation that had accrued up to June 30, 1996 while the community hospitals were operating within the division of community hospitals of the department of health. Report to the legislature. -- Requires the Hawaii health systems corporation to bear the sole responsibility for assuming all liabilities and debts or other obligations accrued beginning on July 1, 1996 and thereafter, by the community hospitals operating within the Hawaii health systems corporation. -- Requires the corporation to bear sole responsibility for making all appropriate employer payments into funds of the employees' retirement system beginning on July 1, 1996, and thereafter. -- Amends provisions relating to contributions by certain state agencies. Adds the Hawaii health system corporation and the employees. -- SB0044 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then FIN
- SB0050 SD1 (SSCR 452) RELATING TO RENEWABLE ENERGY PRODUCERS.  
Introduced by: Hee C  
Amends provisions relating to disposition of governments, governmental agencies, public utilities, and renewable energy producers. Requires the board of land and natural resources to conduct public hearings prior to leasing or renewing a lease for public lands to renewable energy producers. -- SB0050 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO/ EEP/ then TRN
- SB0051 SD1 (SSCR 55) RELATING TO DENTISTRY.  
Introduced by: Baker R  
Amends provisions relating to dentistry defined; exempted practices. Redefines dentistry to include the offer to perform or the performance of any phase of any operation incident to teeth whitening, including the instruction or application of teeth whitening material or procedures at any location. -- SB0051 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC
- SB0053 RELATING TO INSURANCE.  
Introduced by: Baker R, Green J  
Amends provisions relating to Act 177, session laws of 2008, relating to life settlements, by changing the requirement that the insurance commissioner report annually to the legislature on the implementation and effects of Act 177. Repeals the sunset date. -- SB0053  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to HLT then CPC/ JUD/
- SB0055 SD1 (SSCR 180) RELATING TO PUBLIC ACCOUNTANCY.  
Introduced by: Baker R, Ihara L, Green J  
Amends provisions relating to permits to practice under public accountancy law. Repeals the requirements that accounting firms obtain a permit to practice. -- SB0055 SD1  
Current Status: Feb-24 09 Introduction/Passed First Reading - House  
Feb-25 09 Single Referral to CPC
- SB0056 SD1 (SSCR 326) RELATING TO ENFORCEMENT OF THE SMOKING PROHIBITION.  
Introduced by: Baker R, English J  
Amends provisions relating to jurisdiction and power. Prohibits the liquor commission within its county to grant an applicable class of license renewal for a bar, business, nightclub, or restaurant that do not comply with the smoking law and to issue a summons or citation for violation. Requires a bar, business, nightclub, or restaurant as a prerequisite for renewal to show satisfactory proof of compliance with signage requirements. Increases fines and a 3rd violation shall result in the revocation of a liquor license. - SB0056 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC/ JUD/
- SB0058 SD2 (SSCR 785) RELATING TO MOTOR VEHICLE INSURANCE.  
Introduced by: Baker R  
Establishes provisions relating to exclusion of designated persons. Allows an insurer to specifically designate or exclude any person from coverage under their motor vehicle insurance policy. Provides that if a person is convicted of operating a motor vehicle from which the person was excluded from insurance coverage or an owner who has permitted an excluded person to operate a motor vehicle, requires that the fine to be 3,000 dollars for the 1st offense and a minimum of 1,500 dollars for each subsequent offense that occurs within a 5 year period from any

## SENATE BILLS THAT PASSED THIRD READING

prior offense. Act to be repealed on \_\_\_\_ (sunset). -- SB0058 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TRN then CPC/ JUD/

SB0062 SD1 (SSCR 437)

### RELATING TO WORKERS' COMPENSATION.

Introduced by: Takamine D

Establishes provisions relating to medical examination; selection of physicians under workers' compensation law. Requires that after an injury and after a claim is filed by the employee, the employer, upon mutual agreement of the parties, may appoint a qualified physician paid by the employer to conduct an independent medical examination of the injured employee or a permanent impairment rating examination of the injured employee and make a report to the employer. Requires that if the parties cannot agree on a physician, the employer may request in writing that the director of labor and industrial relations appoint a physician licensed in a relevant medical specialty licensed to practice in Hawaii, and willing to undertake such examination within 7 calendar days of the directors receipt of the request. Requires the physician selected to examine the employee within 30 days. Requires the director to keep and maintain a list of qualified physicians including their respective qualification. Prohibits an independent medical examination and a permanent impairment rating examination be combined into a single medical examination unless the injured employee consents in writing prior to scheduling the examination. Prohibits the director, the appellate board, or any court order more than 1 independent medical examination per case unless good and valid reasons exist. Provides that if an employee unreasonably refuses to submit to or in any way obstructs an examination, the employee's rights to claim compensation for the work injury may be suspended until the unreasonable refusal or obstruction ceases and no compensation to be payable for the period during the refusal or obstruction continues. Requires that the cost of conducting the ordered medical examination to be limited to the complex consultation charges governed by the medical fee schedule. Requires the physicians selected to perform independent medical examination or permanent impairment rating examinations be licensed in Hawaii or licensed in the state where the claimant resides, currently hold and have held an active professional and occupational license for 5 consecutive years prior to the examination. Provides when an injured employee has attained medical stability by the attending physician, the employer may appoint a physician, paid by the employer and selected by agreement of the parties to conduct a permanent impairment rating examination of the injured employee. Repeals provisions relating to medical examination by employer's physician. Act to be repealed on July 1, 2012 (sunset). -- SB0062 SD1

Current Status: Feb-24 09 Introduction/Passed First Reading - House  
Feb-25 09 Multiple Referral to LAB then FIN

SB0063 SD2 (SSCR 673)

### RELATING TO WORKERS' COMPENSATION.

Introduced by: Takamine D, Green J

Amends provisions relating to temporary total disability benefits under workers' compensation law. Provides that payment shall be terminated only upon order of the director of labor and industrial relations or if the employee's treating physician determines that the employee is able to return to work and the employer has made a bona fide offer of suitable work within the employee's medical restrictions. Further provides that the order shall only be issued after the director has reviewed the case file and position papers submitted by the employee and employer. Requires the director to issue a decision without a hearing within 30 days, indicating whether temporary total disability benefits should have been discontinued. Allows the employer to request in writing for the director to issue a credit amount for benefits paid by the employer after the date which benefits should have been discontinued. Requires an employer or insurance carrier who fails to comply to pay attorneys fees and cost to the employee or other penalties. Provides that where a work injury causes temporary total disability and payment of compensation due, does not begin with 30 day of the injured employee shall be entitled to a weekly benefit equal to 70 per cent of the employee's average weekly wages, subject to the limitations on weekly benefit rates prescribed or if the employee's average weekly wages are less than the maximum weekly benefit rate prescribed at the rate of 100 per cent of the employee's average weekly wages. -- Requires the director of labor and industrial relations to convene a working group to address and make recommendations to resolve concerns in this Act. Report to the legislature. -- SB0063 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then FIN

SB0064

### RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD.

Introduced by: Takamine D

Amends provisions relating to labor and industrial relations appeals board. Authorizes the appeals board to appoint, set the duties and compensation and provide for reimbursement of actual and necessary expenses incurred by the hearing officer. -- SB0064

Current Status: Feb-17 09 Introduction/Passed First Reading - House

## SENATE BILLS THAT PASSED THIRD READING

Feb-20 09 Multiple Referral to LAB then JUD then FIN

- SB0065 SD1 (SSCR 516) RELATING TO THE HAWAII RULES OF EVIDENCE.  
Introduced by: Takamine D  
Amends provisions relating to rules of evidence; character evidence. Provides that when an alleged victim's trait of character for aggressiveness is introduced and admitted in trial by the defense, the prosecution may admit evidence of the same trait of character in the accused. -- SB0065 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD
- SB0076 SD1 (SSCR 594) RELATING TO TAXATION.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to partial payment of taxes. Provides that partial payments be credited to interest, penalties, and principal in equal amounts. -- SB0076 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN
- SB0086 SD2 (SSCR 674) RELATING TO MAKUA.  
Introduced by: Hanabusa C (BR)  
Establishes the Makua Valley reserve law. Requires the reserve to be used solely for preservation and practice of rights and traditions exercised by native Hawaiians for cultural, spiritual, and subsistence purposes; preservation and protection of its archaeological, historical, and environmental resources; rehabilitative, revegetation, habitat restoration and preservation; and education. Prohibits commercial uses. Establishes a reserve commission within the department of land and natural resources to establish permissible uses within the valley. Establishes the Makua Valley rehabilitation trust fund into which shall be deposited moneys received from the federal government for the rehabilitation and environmental restoration of the valley. Fund to be repealed on July 1, 2045 (sunset). -- SB0086 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HAW/ WLO/ then EBM then JUD then FIN
- SB0091 SD2 (SSCR 675) RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to Hawaii community based economic development revolving fund. Provides that loans made to qualified applicants in the amount of the outstanding balance on all loans issued shall not exceed \_\_\_\_\_ dollars, and each loan will bear simple interest at a rate of not less than 3 and not more than 6 per cent a year, depending on the nature of the loan. -- SB0091 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then FIN
- SB0092 RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS.  
Introduced by: Hanabusa C (BR)  
Amends or repeals various provisions of the Hawaii revised statutes and the session laws of Hawaii for the purpose of correcting errors, clarifying language, correcting references, and deleting obsolete or unnecessary provisions. -- SB0092  
Current Status: Feb-17 09 Introduction/Passed First Reading - House  
Feb-20 09 Single Referral to JUD
- SB0093 SD1 (SSCR 515) RELATING TO CAMPAIGN FINANCING.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to election campaign contributions. Establishes a grace period during which a candidate or candidate's committee may return or refund contributions that exceed the \_\_\_ per cent cap on nonresident contributions. -- SB0093 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD
- SB0101 SD1 (SSCR 104) RELATING TO CRIMINAL HISTORY RECORD CHECKS BY COUNTIES.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to criminal history record checks. Authorizes counties to conduct criminal history record checks on taxicab drivers and applicants for a taxicab driver certificate. -- SB0101 SD1

## SENATE BILLS THAT PASSED THIRD READING

	Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to EBM then JUD
SB0105 SD1 (SSCR 496)	RELATING TO PROTECTIVE PROCEEDINGS. Introduced by: Hanabusa C (BR) Amends provisions relating to protective proceeding. Allows family court to appoint a limited conservatorship when a minor is unable to manage property or business affairs effectively or because of another physical, mental or health impairment. -- SB0105 SD1 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Single Referral to JUD
SB0107	RELATING TO ADMINISTRATIVE REVOCATION. Introduced by: Hanabusa C (BR) Amends provisions relating to administrative hearing, procedure, decision. Allows administrative director of the courts to permit authoritative revocation hearing to be held in a county other than the county in which the notice of administrative revocation was issued or by telephonic, video or electronic means. -- SB0107 Current Status: Mar-10 09 Introduction/Passed First Reading - House Mar-10 09 Multiple Referral to TRN then JUD
SB0108	RELATING TO FAMILY COURT. Introduced by: Hanabusa C (BR) Amends provisions relating to judicial appointment of guardian; conditions for appointment. Changes the duration of temporary guardianship to a maximum of 12 months. -- SB0108 Current Status: Mar-10 09 Introduction/Passed First Reading - House Mar-10 09 Multiple Referral to HUS then JUD
SB0109 SD2 (SSCR 803)	RELATING TO THE INTERSTATE COMPACT FOR JUVENILES. Introduced by: Hanabusa C (BR) Repeals and replaces the interstate compact for juveniles law. Appropriation to the judiciary for administrative expenses. (\$\$) -- SB0109 SD2 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to HUS then JUD then FIN
SB0111	RELATING TO THE PENAL CODE. Introduced by: Hanabusa C (BR) Amends provisions relating to disposition of convicted defendants. Adds DNA (deoxyribonucleic acid) analysis fee. -- SB0111 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to JUD then FIN
SB0112	RELATING TO THE CHILDREN'S JUSTICE PROGRAM. Introduced by: Hanabusa C (BR) Amends provisions relating to coordination function. Establishes that records of the children's justice program shall be confidential with exceptions for program and provider staff, medical and mental health professionals and the courts. -- SB0112 Current Status: Mar-10 09 Introduction/Passed First Reading - House Mar-10 09 Multiple Referral to HUS then JUD
SB0113	RELATING TO DENTISTS. Introduced by: Taniguchi B Amends provisions relating to refusal, revocation, suspension, and administrative penalties under dentistry law. Adds that the board of dentistry may revoke any license issued for false or misleading advertising. -- SB0113 Current Status: Mar-06 09 Introduction/Passed First Reading - House Mar-10 09 Multiple Referral to HLT then CPC/ JUD/
SB0114 SD1 (SSCR 570)	RELATING TO DENTAL CARE. Introduced by: Taniguchi B, Baker R Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring contracts to declare coordination of benefits policy with the insured, subscriber, contract holder for dental services. -- SB0114 SD1 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to HLT then CPC
SB0119	RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION



## SENATE BILLS THAT PASSED THIRD READING

- ACT.  
Introduced by: Taniguchi B  
Repeals and replaces the uniform foreign country money judgments recognition act. -- SB0119  
Current Status: Feb-17 09 Introduction/Passed First Reading - House  
Feb-20 09 Multiple Referral to JUD then FIN
- SB0120 SD1 (SSCR 47) RELATING TO THE UNIFORM MEDIATION ACT.  
Introduced by: Taniguchi B  
Establishes the uniform mediation act. -- SB0120 SD1  
Current Status: Feb-18 09 Introduction/Passed First Reading - House  
Feb-20 09 Multiple Referral to JUD then FIN
- SB0121 SD1 (SSCR 241) RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT.  
Introduced by: Taniguchi B  
Repeals the uniform management of institutional funds act and replaces it with the uniform prudent management of institutional funds act. -- SB0121 SD1  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to CPC then FIN
- SB0123 SD1 (SSCR 19) RELATING TO MOTOR VEHICLES.  
Introduced by: Taniguchi B (BR)  
Establishes provisions relating to antique motor vehicles; permitted operation. Allows the operation of an antique motor vehicle on the highway for participation in club activities, exhibits, tours, parades, including transportation to and from events; for testing the operation or obtaining repairs or maintenance; or for occasional pleasure driving not exceeding 20 miles from the residence of the owner. -- Amends provisions relating to county vehicular taxes. Repeals the exception for antique motor vehicles. -- SB0123 SD1  
Current Status: Feb-13 09 Introduction/Passed First Reading - House  
Feb-17 09 Multiple Referral to TRN then JUD
- SB0133 SD2 (SSCR 510) RELATING TO UTILITIES.  
Introduced by: Chun Oakland S (BR)  
Establishes provisions relating to lifeline electricity rates under public utilities law. Requires the public utilities commission to implement a program to achieve lifeline electricity rates for residential electricity users. Requires the commission to require every electric public utility providing local electricity service to file a schedule of rates and charges providing a rate for lifeline electricity subscribers. -- SB0133 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS then CPC
- SB0145 SD2 (SSCR 811) RELATING TO EDUCATION.  
Introduced by: Sakamoto N, Chun Oakland S  
Amends provisions relating to noise and climate control at school facilities. Repeals the department of accounting and general services and transfers responsibility to the department of education. -- SB0145 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then FIN
- SB0153 SD1 (SSCR 27) RELATING TO PUBLIC ACCESS.  
Introduced by: Sakamoto N  
Establishes provisions relating to permits; zoning; development and subdivision projects. Requires that agencies ensure a public right of way that has been available for the general public to use to access the sea, shoreline, or any coastal or inland public recreation area including beaches, shores, parks, and trails, prior to granting or renewing a permit for or approving a developmental project, subdivision project, or zoning initiative that may affect public access. -- SB0153 SD1  
Current Status: Feb-17 09 Introduction/Passed First Reading - House  
Feb-20 09 Multiple Referral to WLO/ HSG/ then EBM then FIN
- SB0160 SD2 (SSCR 722) RELATING TO SCHOOL MEALS.  
Introduced by: Sakamoto N  
Amends provisions relating to education. Replaces school lunch with school meals. Provides that the cost of school meals shall be at least 1/2 the cost of preparing the meals. -- SB0160 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then FIN

## SENATE BILLS THAT PASSED THIRD READING

- SB0161 RELATING TO EDUCATION.  
Introduced by: Sakamoto N  
Repeals provisions relating to salary ranges for teachers. -- SB0161  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN/ LAB/ then FIN
- SB0162 RELATING TO EDUCATION.  
Introduced by: Sakamoto N  
Amends provisions relating to performance standards. Repeals the performance standards review commission. -- SB0162  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to EDN then FIN
- SB0163 RELATING TO EDUCATION.  
Introduced by: Sakamoto N  
Repeals provisions relating to district business and fiscal officers. -- SB0163  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN/ LAB/ then FIN
- SB0164 RELATING TO THE FEDERAL GRANTS SEARCH, DEVELOPMENT, AND APPLICATION REVOLVING FUND.  
Introduced by: Sakamoto N  
Amends provisions relating to Federal grants search, development, and application revolving fund by repealing search, development, and application. Requires the department of education to monitor federal grant execution, ensure compliance with grant requirements, and audit grant expenditures. -- SB0164  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then FIN
- SB0165 SD2 (SSCR 836) RELATING TO PUBLIC SCHOOL CAFETERIA WORKERS.  
Introduced by: Sakamoto N  
Amends provisions relating to cafeteria workers. Repeals provision that cafeteria workers be paid over a 12 month period. -- SB0165 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN/ LAB/ then FIN
- SB0166 SD1 (SSCR 573) RELATING TO INSURANCE.  
Introduced by: Green J, Baker R  
Amends the accident and sickness insurance contracts law by requiring that health insurance policies that include coverage or benefits for cancer treatment provide payment or reimbursement for all chemotherapy, including orally administered chemotherapy drugs in the same manner as intravenously administered chemotherapy. -- SB0166 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC then FIN
- SB0169 SD2 (SSCR 823) RELATING TO HAWAII HEALTH CORPS.  
Introduced by: Green J, Chun Oakland S  
Establishes the Hawaii health corps law. Establishes the loan repayment program within the department of business, economic development, and tourism. Requires the department to accept applications from interested persons; develop criteria for the selection of repayment participants; select repayment health care professionals to participate in the program, provided that the department shall not select more than 20 individuals in 1 year and have no more than 100 individuals participating in the program; collect and manage repayments from repayment participants who do not meet their service obligations; publicize and market the loan repayment program; solicit and accept grants and donations from public and private sources; develop criteria for and enter into a contract with the repayment participants that obligates the repayment participant to complete the service obligation; administer the recruitment program separately from the loan repayment program; establish a group, which shall be advisory only; and take any and all other actions necessary to administer the loan repayment program. Allows the governor, if a civil defense or other emergency proclamation to order into service participants in the program as a critical action relief lineup to serve in areas of the State and in a capacity determined by the director. Establishes the Hawaii health corps special fund within the state treasury to provide stipends to qualifying Hawaii health corps physicians and dentist. Requires repayment participants and all recruitment health professionals participating in the recruitment program to commit to serve as 1st responders in the event of a declared emergency in the State or at the request of the director of health. Requires the department of business, economic development,

## SENATE BILLS THAT PASSED THIRD READING

- and tourism to report to the legislature. Appropriation. (\$\$) -- SB0169 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT/ EBM/ then HED then FIN
- SB0178 SD1 (SSCR 802) RELATING TO FOOD WASTE RECYCLING.  
Introduced by: Kim D, Galuteria B, Tsutsui S, Chun Oakland S, Ige D, Fukunaga C, Tokuda J, Hooser G, Ihara L  
Requires the department of education in partnership with the department of health to develop and implement a 3 year food waste recycling pilot project in 1 or more schools. Appropriation. Reports to the legislature. Act to be repealed on June 30, 2012 (sunset). (\$\$) -- SB0178 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then EEP then FIN
- SB0186 SD1 (SSCR 662) RELATING TO FOSTER CARE SERVICES.  
Introduced by: Chun Oakland S  
Requires the department of human services to increase the rate of the monthly board payment to foster boarding home parents, group homes, and child caring institutions. Appropriation. Reports to the legislature. (\$\$) -- SB0186 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS then FIN
- SB0190 SD1 (SSCR 440) RELATING TO COMMUNITY CARE FOSTER FAMILY HOME.  
Introduced by: Chun Oakland S  
Requires the department of human services to allow 2 private pay clients, to be cared for in the same community care foster family home and to define the relationship between 2 private pay clients. Prohibits the definition of the relationship to not be in violation of the equal protection clauses of the Constitution of the US and the Hawaii Constitution. -- SB0190 SD1  
Current Status: Mar-05 09 Introduction/Passed First Reading - House  
Mar-06 09 Multiple Referral to HUS then FIN
- SB0194 SD2 (SSCR 849) RELATING TO TAXATION.  
Introduced by: Chun Oakland S  
Establishes provisions relating to direct deposit of income tax refunds. Authorizes a request for direct deposit of refund and requires the taxpayer to designate the taxpayer's checking or savings account for deposit. Prohibits a tax preparer to designate the paid preparer's personal or business checking or savings account for direct deposit of a clients tax refund. Establishes penalties. -- SB0194 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN
- SB0199 SD1 (SSCR 595) RELATING TO TAXATION.  
Introduced by: Hooser G  
Repeals various income tax credits. Provides that to enact a tax credit requires a 2/3 vote of the members of each house. -- SB0199 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN
- SB0201 SD2 (SSCR 672) MAKING AN APPROPRIATION FOR THE HAWAII COUNTY ECONOMIC OPPORTUNITY COUNCIL.  
Introduced by: Takamine D, Green J, Kokubun R  
Appropriation to the Hawaii county economic opportunity council for a grant in aid to purchase 10 new buses to serve the disadvantaged elderly, pre school children, and disabled persons in Hawaii county. Appropriation shall not be expended if federal funding under the American Recovery and Reinvestment Act of 2009 can be used. (\$\$) -- SB0201 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS then FIN
- SB0203 SD2 (SSCR 779) RELATING TO CONTRACTORS.  
Introduced by: Takamine D  
Amends provisions relating to violations; penalties under contractors law. Increases penalties. -- SB0203 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to CPC then JUD
- SB0205 SD1 (SSCR 184) RELATING TO OWNER-BUILDERS.  
Introduced by: Sakamoto N

## SENATE BILLS THAT PASSED THIRD READING

Amends provisions relating to exemptions under contractors law. Changes registered to licensed architect or professional engineer. Requires for proof of the sale or lease or offering for sale or lease, of the structure not more than 2 years after closing of the building permit to be prima facie evidence, unless the sale or lease is due to circumstances beyond the control of the owner or lessee, as determined by the Hawaii contractors license board. Changes exemption from the licensing requirements from 2 to 3 years. Provides fines for failure to comply with requirement in disclosure statement. -- SB0205 SD1

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to EBM then CPC/ JUD/

SB0207 SD1 (SSCR 500)

RELATING TO CORRECTIONAL FACILITIES.

Introduced by: Espero W

Establishes provisions relating to correctional facility and community correctional center deaths; reporting. Requires the director of public safety to report to the senate president, speaker of the House of Representatives, and legislative committee chairs for public safety on correctional employee deaths or injuries sustained on the grounds of a correctional facility or center where Hawaii inmates reside within 24 hours. -- SB0207 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then FIN

SB0208

RELATING TO PUBLIC SAFETY.

Introduced by: Espero W

Amends provisions relating to civil service and exemptions. Repeals the exemption for sheriff, 1st deputy sheriff, and 2nd deputy sheriff. -- SB0208

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to PBS/ LAB/ then FIN

SB0210 SD2 (SSCR 812)

RELATING TO CORRECTIONS.

Introduced by: Espero W

Establishes provisions relating to transfer of inmates to other Hawaii correctional facilities. Allows the director of public safety to transfer a committed felon to any correctional facility located in this State, if the transfer is in the best interests of the State and the welfare of the committed felon will be best served by the transfer; provided that the director consider if the committed felon is currently engaged in rehabilitation or reentry program prior to the proposed transfer, whether the felon may continue with a similar program at the facility to which transfer is proposed; and whether other committed felons have volunteered to be transferred provided that felons volunteering for a transfer to be given preference for a transfer to achieve cost savings; whether the committed felon is regularly participating in extended family leave visitations with the committed felon's child and whether the transfer would disrupt the visitations; whether the committed felon is enrolled in a vocational, educational, treatment, reentry, or other program that cannot reasonably be resumed at the correctional facility in another state; and whether other committed felons have volunteered to be transferred. -- SB0210 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then FIN

SB0212 SD2 (SSCR 630)

RELATING TO PUBLIC SAFETY.

Introduced by: Espero W

Establishes provisions relating to contracts with out of state detention facilities; freedom of information requirement. Requires that contract made directly between the State and a nongovernmental entity or through interstate compacts that provide for the incarceration or detention of state prisoners or detainees in a privately owned prison or other out of state detention facility to provide access to freedom of information requirement. -- SB0212 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then JUD then FIN

SB0213 SD1 (SSCR 568)

RELATING TO PUBLIC SAFETY.

Introduced by: Espero W

Requires the department of public safety to develop performance measures that accurately reflect progress toward improving recidivism rates; decreasing prisoner assaults on correctional staff; reducing correctional staff turnovers; and improving departmental efficiencies in staffing, budgeting, data management and analysis. Reports to the legislature. -- SB0213 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then FIN

SB0230 SD1 (SSCR 334)

RELATING TO THE RIGHTS OF VICTIMS.

Introduced by: Espero W

## SENATE BILLS THAT PASSED THIRD READING

Establishes provisions relating to notification not required. Provides that victims, witnesses, and surviving immediate family members of crime victims may waive their rights by providing written notice to police and the prosecuting attorney. Further provides that the director of health, upon written request, shall give notice to each victim, witness, and surviving immediate family member of crime victims, of any unauthorized absence of any person placed in a facility or services contracted by or operated by the director, by the most reasonable and expedient means available. Defines major developments to include when the offender is acquitted or found unfit to proceed on the ground of physical or mental disease, disorder, or defect; following an acquittal or finding of unfitness to proceed, the offender is released or discharged from custody, or committed to the custody of the director of health for placement in an appropriate public or private institution; or when the offender has regained fitness to proceed, including the date on which the penal proceedings are to be resumed. Amends provisions relating to rights of accused by providing that on request, victims, witnesses, and surviving immediate family members of crime victims shall have the right to be informed by the department of health of changes planned by the department in the custodial status of the offender that allows or results in the release of the offender into the community, including escape and final discharge. Amends provisions relating to intergovernmental cooperation by including the department of health. -- SB0230 SD1

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to HLT then JUD then FIN

SB0231 SD1 (SSCR 788)

RELATING TO PUBLIC SAFETY.

Introduced by: Espero W

Amends provisions relating to State council for interstate adult offender supervision by adding coordinator for supervision of adult offenders. Authorizes the judiciary to appoint a full time coordinator position for the supervision of adult offenders and be paid from the probation services special fund. Provides that the fee for each application made by a parolee or probationer for transfer out of the State shall be deposited into the probation services special fund. -- SB0231 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then JUD then FIN

SB0241 SD2 (SSCR 618)

RELATING TO ENERGY.

Introduced by: Gabbard M, Green J

Establishes the cool roofs law. Requires counties beginning January 1, 2011, to only give permits for the construction of any new residential or commercial structures that have a cool roof. Allows the energy resources coordinator of the department of business, economic development, and tourism to allow a variance upon application. Exempts the portion of the roof covered by solar energy system. -- SB0241 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ HSG/ WLO/ then EBM then FIN

SB0242 SD2 (SSCR 813)

RELATING TO SEAWATER AIR CONDITIONING.

Introduced by: Gabbard M, Green J

Amends provisions relating to State enterprise zones. Redefines qualified business to include, engaged in producing air conditioning from a seawater air conditioning district cooling system. -- SB0242 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then EBM then FIN

SB0243

RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.

Introduced by: Gabbard M, Hooser G

Amends provisions relating to redemption of empty deposit beverage containers. Requires any retail dealer having greater than 75,000 square feet of interior space to operate a redemption center and accept all types of empty deposit beverage containers that bear a valid Hawaii refund value. -- SB0243

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then EBM then FIN

SB0256 SD2 (SSCR 830)

RELATING TO TELEWORK.

Introduced by: Gabbard M, Chun Oakland S, Espero W

Establishes a telework task force within the department of business, economic development, and tourism to work in coordination with the department of human resources development to develop incentives and recommendations to encourage and expand telework opportunities in both the public and private sectors that will help to alleviate the high transportation related expenses of commuting. Report to the legislature. Requires the legislative reference bureau to assist the task force. Task force to cease to exist on July 1, 2010 (sunset). Appropriation. (\$\$) -- SB0256 SD2

## SENATE BILLS THAT PASSED THIRD READING

	Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to TRN/ LAB/ then FIN
SB0259	RELATING TO JURY DUTY. Introduced by: Nishihara C Amends provisions relating to exemption of jurors. Reduces the exemption for persons 80 years of age or older to 75 years of age. -- SB0259 Current Status: Mar-10 09 Introduction/Passed First Reading - House Mar-10 09 Single Referral to JUD
SB0260 SD1 (SSCR 565)	RELATING TO GAMBLING. Introduced by: Nishihara C Establishes that free play shall not be considered a defense. Provides that if free play was offered by mail as an alternative to play via purchase of an item that is not bona fide or is offered at a price that is disproportionate to the value of the item purchased or a chance to win if the free play by mail is offered from a pool different from the pool from which the chance to win via purchase is drawn shall be gambling. -- SB0260 SD1 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Single Referral to JUD
SB0264	RELATING TO TOURISM. Introduced by: Nishihara C, Tsutsui S Amends provisions relating to tourism marketing plan; measures of effectiveness. -- SB0264 Current Status: Feb-18 09 Introduction/Passed First Reading - House Feb-20 09 Single Referral to TCI
SB0266 SD2 (SSCR 643)	RELATING TO GLOBAL WARMING. Introduced by: Nishihara C Establishes a global warming task force within the department of health to assess the current and potential impacts of global warming and climate change trends on the citizens, natural resources, and the economy of the State. Reports to the legislature. Appropriation out of the tourism special fund. Task force shall cease to exist on June 30, 2011 (sunset). (\$\$). -- SB0266 SD2 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to EEP then FIN
SB0271 SD2 (SSCR 670)	RELATING TO TOURISM EMERGENCY. Introduced by: Nishihara C, Tsutsui S Amends provisions relating to tourism emergency. Adds a national or global economic crisis to situations considered a tourism emergency. Requires no action may be taken without the governor's express approval, in addition to the governor's declaration of the existence of a tourism emergency. -- SB0271 SD2 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to TCI then FIN
SB0281	RELATING TO THE STATEWIDE TRAFFIC CODE. Introduced by: Nishihara C Amends provisions relating to electric personal assistive mobility devices; restrictions. Allows counties to prohibit or regulate electric personal assistive mobility devices on sidewalks. -- SB0281 Current Status: Feb-12 09 Introduction/Passed First Reading - House Feb-17 09 Multiple Referral to TRN then JUD
SB0287 SD2 (SSCR 669)	RELATING TO ENERGY. Introduced by: Green J Establishes provisions relating to geothermal energy pilot program. Requires that the energy resources coordinator will establish a pilot program to produce electricity from geothermal energy sources. Program to terminate by December 31, 2019 (sunset). Amends provisions relating to the utilization of electricity generated from nonfossil fuels. Allows the public utilities commission to direct public utilities that supply electricity to the island of Hawaii to arrange for the acquisition of electricity generated from geothermal sources at the maximum capacity that is available. -- SB0287 SD2 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to EEP/ WLO/ then CPC then FIN
SB0288 SD1 (SSCR 448)	RELATING TO SCHOOLS. Introduced by: Green J, Chun Oakland S

## SENATE BILLS THAT PASSED THIRD READING

- Establishes provisions relating to school vending machines; beverages. Requires beverage selections from school vending machines to contain only healthy beverages as deemed appropriate by the department of education. -- SB0288 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then HLT
- SB0292 SD1 (SSCR 596) RELATING TO FUNDS.  
Introduced by: Kim D  
Authorizes the director of finance to transfer funds from various special funds and revolving funds to the general fund if the legislature determines that there is an excess in funds. -- SB0292 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN
- SB0294 SD2 (SSCR 668) RELATING TO STATE DEPARTMENTS.  
Introduced by: Kim D  
Amends provisions relating to recommendations to agencies by changing agencies to state departments. Allows the department of business, economic development, and tourism to make recommendations to departments subject to legislative oversight. -- SB0294 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then LMG
- SB0295 SD1 (SSCR 508) RELATING TO TRANSPORTATION.  
Introduced by: Gabbard M, English J, Chun Oakland S, Kidani M, Green J  
Amends definition of energy efficient vehicle under the Hawaii public procurement code. --  
Amends provisions relating to the designation of high occupancy vehicle lane. Authorizes hybrid or energy efficient vehicles to use any high occupancy vehicle lane (HOV) regardless of number of occupants. Requires the director of transportation to develop the means to identify hybrid vehicles and energy efficient vehicles. -- SB0295 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TRN then JUD
- SB0298 SD1 (SSCR 466) RELATING TO CONDOMINIUMS.  
Introduced by: Baker R (BR)  
Amends provisions relating to association fiscal matters; lien for assessments. Increases the maximum amount that condominium associations may recover in maintenance fees from the foreclosure of a condominium apartment. -- SB0298 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to CPC
- SB0300 SD2 (SSCR 743) RELATING TO INTOXICATING LIQUOR.  
Introduced by: Baker R  
Establishes provisions relating to general casualty insurers; coverage for class 5 liquor dispensers; duty to inform. Requires any insurer authorized to transact general casualty insurance that terminates or refuses to renew a policy of liquor liability insurance for a any liquor licensee, except manufacturers and wholesalers, to notify the liquor commission of the county within 30 days prior to the expiration. Amends provisions relating to licenses, classes. Requires restaurants, retail dealers, dispensers, clubs, cabarets, hotels, caterers, and condominium hotels licensed under class 2, class 4, class 5, class 6, class 11 class 12, class 13, and class 14 to maintain at all times liquor liability insurance coverage in an amount to be determined every 2 years pursuant to commission rules. Requires the liquor commission to deny renewal of a class 2, class 4, class 5, class 6, class 11 class 12, class 13, class 14 license or in the case of a transfer of a license, if the licensee fails to obtain or maintain at all times liquor liability insurance coverage or a or transferee fails to present to the issuing agency proof of liquor liability insurance coverage. -- SB0300 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then CPC/ JUD/
- SB0301 SD2 (SSCR 640) RELATING TO THE HAWAII REGISTERED AGENTS ACT.  
Introduced by: Baker R  
Establishes the Hawaii registered agents act. Allows any individual or a domestic or foreign entity to become listed as a commercial registered agent by filing with the department of commerce and consumer affairs. -- SB0301 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to CPC/ JUD/ then FIN
- SB0309 RELATING TO WORKERS' COMPENSATION.

## SENATE BILLS THAT PASSED THIRD READING

- Introduced by: Chun Oakland S  
Amends provisions relating to workers' compensation law. Requires sheriffs' chaplain of the department of public safety to be entitled to all compensations. -- SB0309  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to PBS/ LAB/ then FIN
- SB0350 SD1 (SSCR 593) RELATING TO USE OF FORCE.  
Introduced by: Slom S  
Amends provisions relating to use of force in self protection. Provides an owner may use deadly force in their dwelling against another, not lawfully present in the owner's dwelling, who uses force against the owner. Provides the person is not obliged to retreat from the dwelling or any place the person is lawfully present before justifying the use of force in self protection. -- SB0350 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD
- SB0358 SD1 (SSCR 143) RELATING TO FIREARMS.  
Introduced by: Slom S  
Establishes provisions relating to prohibition against seizure of firearms or ammunition during emergency or disaster, suspension of permit or license. Prohibits any person or government entity to seize or confiscate, under any civil defense, emergency, or disaster relief powers or functions conferred, or during any civil defense emergency period, or during any time of national emergency or crisis, any firearm or ammunition and permit or license of any individual who is lawfully permitted to carry or possess the firearm or ammunition and who carries, possesses, or uses the firearm or ammunition in a lawful manner and in accordance with the criminal laws of this State. -- Amends provisions relating to civil defense powers, in general. Repeals provisions which allowed the governor to register and blood type RHo blood typing on females of child bearing age or younger and other compulsory blood typing as may be approved by competent medical authority. -- SB0358 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then JUD
- SB0360 SD1 (SSCR 706) RELATING TO EXTRACURRICULAR ACTIVITIES.  
Introduced by: Slom S  
Establishes provisions relating to participation in extracurricular activities by home schooled children. Provides that a child who is home schooled is eligible to participate in extra curricular activities at the school that the child would be required to attend. -- SB0360 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then FIN
- SB0378 SD1 (SSCR 450) RELATING TO FISHING.  
Introduced by: Tsutsui S, English J, Baker R  
Amends provisions relating to uhu; goatfish; bag limit. Prohibits any person to take, possess, or sell more than 2 of each of the following species of goatfish; kumu, moano ukali, munu, and uhu per day on Maui. Allows a commercial marine dealer to possess and sell more than 2 kumu, moano ukali, munu, and uhu with receipts issued for the purchase. Requires the kumu, moano ukali, and munu to be at least 10 inches in length and uhu to be at least 12 inches in length. -- SB0378 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then JUD
- SB0382 SD1 (SSCR 550) RELATING TO THE STADIUM AUTHORITY.  
Introduced by: Tsutsui S  
Amends provisions relating to stadium authority, appointment, terms. Increases the membership of the stadium authority to 11 members. Reduces the number of members appointed by the governor to 3. Provides that 3 members shall be appointed by the senate president and 3 members shall be appointed by the speaker of the house of representatives. -- SB0382 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TCI then WLO
- SB0384 RELATING TO EDUCATION.  
Introduced by: Tsutsui S, English J  
Establishes provisions relating to pedestrian traffic safety devices; newly constructed schools, for public schools, charter schools, and private schools. Requires the department of education, charter schools, and private schools to ensure that there are proper pedestrian traffic safety devices in place and fully operational prior to the 1st day of school. Requires the assistance of the department of transportation, county transportation services department, and county police



## SENATE BILLS THAT PASSED THIRD READING

- department. -- SB0384  
Current Status: Mar-06 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to EDN then TRN then FIN
- SB0387 SD1 (SSCR 556) RELATING TO THE STATE BUDGET.  
Introduced by: Tsutsui S  
Amends provisions relating to program execution. Prohibits transfers or changes between programs or agencies without prior legislative authorization. -- SB0387 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN
- SB0389 SD1 (SSCR 555) RELATING TO CAPITAL IMPROVEMENT PROJECTS.  
Introduced by: Tsutsui S  
Requires the legislative reference bureau to review the memorandum of understanding between the department of education and the department of budget and finance for the allotment of capital improvement projects, for the purpose of replicating the processes of the memorandum of understanding for usage by other state agencies. Requires the bureau to consult with, at minimum, the department of budget and finance, the department of education, and other government agencies as deemed appropriate. Report to the legislature. -- SB0389 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then LMG then FIN
- SB0390 SD2 (SSCR 822) RELATING TO ENERGY RESOURCES.  
Introduced by: Gabbard M  
Amends provisions relating to solar water heater system required for new single family residential construction. Requires that building permits issued after January 1, 2010 for new single family dwellings include standards for solar water heating systems, unless a variance is approved by the public benefits fee administrator. Requires that the administrator be responsible for post installation verification inspections of the water heating technology. Requires the administrator to publicize all applications for a variance within 7 days after receipt of the application and the disposition of all applications within 7 days of the determination. -- SB0390 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ HSG/ then CPC
- SB0391 SD1 (SSCR 702) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU.  
Introduced by: Gabbard M  
Authorizes the issuance of special purpose revenue bonds to assist Honolulu Seawater Air Conditioning LLC, a Hawaii company, in designing and constructing the district cooling project. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0391 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then FIN
- SB0392 SD1 (SSCR 705) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING, LLC PROJECTS ON OAHU.  
Introduced by: Gabbard M  
Amends Act 111, session laws of 2004, by changing the sunset date to June 30, 2014. -- SB0392 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then FIN
- SB0393 SD2 (SSCR 701) RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE.  
Introduced by: Gabbard M  
Authorizes the issuance of special purpose revenue bonds to assist One Planet Pacific Energy, LLC with the planning, designing, construction, and equipping of, and the acquisition of lands for, a gasification facility adjoining the construction and demolition material solid waste landfill located in Nanakuli, Oahu, Hawaii. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0393 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then FIN
- SB0404 SD1 (SSCR 597) RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.  
Introduced by: Kim D, Tsutsui S, Hooser G  
Appropriation out of the emergency and budget reserve fund (rainy day fund) to \_\_\_\_ as a grant

## SENATE BILLS THAT PASSED THIRD READING

to maintain levels of programs determined to be essential to public health, safety, welfare, and education; provide for counter cyclical economic and employment programs in periods of economic downturn; restore facilities destroyed or damaged or services disrupted by disaster in any other county; and meet other emergencies when declared by the governor or determined to be urgent by the legislature. (\$\$) -- SB0404 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN

SB0411 SD1 (SSCR 451)

RELATING TO KAENA POINT STATE PARK.

Introduced by: Bunda R

Establishes provisions relating to Kaena point state park; overnight camping. Requires the department of land and natural resources to permit overnight camping at Kaena point state park. Requires that the department adopt rules specific to overnight camping at Kaena point state park. Report to the legislature on the progress of rule adoption. -- SB0411 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then FIN

SB0412

RELATING TO THE ENVIRONMENT.

Introduced by: Bunda R, Hee C

Changes Ocean Day to World Ocean Day. -- SB0412

Current Status: Feb-12 09 Introduction/Passed First Reading - House  
Feb-17 09 Single Referral to WLO

SB0415 SD2 (SSCR 659)

RELATING TO HOME CARE AGENCIES.

Introduced by: Ige D, Green J, Tokuda J, Chun Oakland S, Baker R, Fukunaga C, Ihara L, Sakamoto N, English J

Establishes provisions relating to home care agencies; licensing. Requires that all home care agencies be licensed to ensure the health, safety, and welfare of clients. Requires the director of health to adopt rules regarding home care agencies to protect the health, safety, and civil rights of clients of home care agencies; and provide for the licensing of home care agencies. Amends provisions relating to subjects of health rules, generally. Adds home care agencies. Amends provisions relating to establishment of fees. Adds home care agencies. Amends provisions relating to criminal history record checks. adds home care agency. Act to be repealed on June 30, 2014 (sunset). -- SB0415 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS/ HLT/ then FIN

SB0417 SD1 (SSCR 814)

RELATING TO HEALTH.

Introduced by: Ige D, Green J, Ihara L, Baker R, Chun Oakland S

Establishes provisions relating to Medicaid reimbursements under department of human services law. Requires Medicaid reimbursements to hospital to be equal to the acute medical services payment for patients occupying acute licensed beds who are on a waitlist for long term care. Requires Medicaid reimbursements to facilities with long term care beds to be equal to the state reimbursement rate for sub acute care for patients with medically complex conditions who prior to admission to the facility were receiving acute care services in an acute care hospital. Appropriation. (\$\$) -- SB0417 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS/ HLT/ then FIN

SB0420 SD2 (SSCR 748)

RELATING TO NATUROPATHIC MEDICINE.

Introduced by: Ige D, Ihara L, Baker R, Chun Oakland S

Establishes provisions relating controlled substances; authorization. Allows a naturopathic physician to obtain a current Federal Drug Enforcement Administration registration. Provides that if a public health emergency or disaster condition is declared by the governor, the board to allow naturopathic physicians licensed in another state to provide temporary and limited naturopathic medicine in Hawaii. Amends provisions relating to State board of examiners in naturopathy by replacing examiners in naturopathy to naturopathic medicine. Requires the board to annually publish a list of medications that have been approved by the board to be prescribed, administered, or dispensed by naturopathic physicians. -- SB0420 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC then FIN

SB0423 SD1 (SSCR 658)

RELATING TO HEALTH.

Introduced by: Ige D, Tokuda J, Chun Oakland S, Baker R, Fukunaga C, Ihara L, Sakamoto N, English J

Appropriation to the department of human services to match the federal disproportionate share

## SENATE BILLS THAT PASSED THIRD READING

hospital allowance allocated to the State. (\$\$) -- SB0423 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then FIN

SB0426

### RELATING TO DENTISTRY.

Introduced by: Ige D, Baker R, Fukunaga C, Ihara L, Chun Oakland S  
Amends provisions relating to temporary license under dentistry law. Allows the board of dental examiners to issue a temporary license without examination to any person who is currently enrolled in a post doctoral residency program that is accredited and recognized by the American Dental Association Commission on Dental Accreditation (CODA). -- SB0426  
Current Status: Feb-23 09 Introduction/Passed First Reading - House  
Feb-25 09 Multiple Referral to HLT then CPC

SB0427

### RELATING TO GENERAL EXCISE TAXATION.

Introduced by: Ige D, Green J, Chun Oakland S, Baker R, Ihara L  
Provides a general excise tax exemption for amounts received by a managed care support contractor of the TRICARE program (health care services for retired members of the military) for the actual cost or advancement of 3rd party health care providers pursuant to contract with the US. -- SB0427  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then EBM then FIN

SB0428 SD1 (SSCR 741)

### RELATING TO PSYCHOLOGISTS.

Introduced by: Ige D, Baker R, English J, Green J  
Establishes provisions relating to prescription certification. Establishes that psychologist may apply to the board of psychology for a conditional prescription certificate. Requires psychologist holding conditional prescription certificate continue to hold a current license to practice psychology in Hawaii and continue malpractice insurance, inform the board of the name of the prescribing mental health professional under whose supervision the psychologist will prescribe psychotropic medication, maintain an ongoing collaborative relationship with the doctor of medicine who oversees the patients general medical care. Prohibits psychologist holding a conditional prescription certificate to delegate prescriptive authority to any person. Allows a person to use the title of industrial / organizational psychologist provided that the person registers with the board is professionally competent, holds a doctoral degree and provides psychological services or consultation to organization. Requires the state health planning and development agency report to the legislature, including any proposed legislation and assessing the viability of continuing prescriptive authority for psychologists. -- SB0428 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC then JUD then FIN

SB0430 SD1 (SSCR 584)

### RELATING TO HEALTH INSURANCE.

Introduced by: Ige D, Baker R, Hooser G, Fukunaga C, Ihara L, Chun Oakland S  
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for the screening of colorectal cancer by colonoscopy every 10 years, beginning at age 50. -- SB0430 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC then FIN

SB0436 SD2 (SSCR 676)

### RELATING TO LIFE SCIENCES.

Introduced by: Ige D, Baker R, Fukunaga C  
Provides an income tax credit for clinical trials equal to 15 per cent of the qualified clinical trial costs in any county with a population over 700,000 and 20 per cent in any county with a population of 700,000 or less. Requires pre qualification of the clinical trial with the department of business, economic development, and tourism. -- SB0436 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then FIN

SB0438

### RELATING TO BOARD OF EDUCATION MEETINGS.

Introduced by: Sakamoto N, Chun Oakland S  
Amends provisions relating to organization; quorum; meetings. Provides that during legislative sessions the board of education may file any notice that specifies only legislation or legislation related agenda items no fewer than 2 calendar days before the meeting. -- SB0438  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to EDN then JUD

SB0440 SD2 (SSCR 507)

### RELATING TO COUNTIES.

## SENATE BILLS THAT PASSED THIRD READING

Introduced by: Sakamoto N, Chun Oakland S

Establishes provisions relating to infrastructure dedication; affordable housing. Requires a county to accept or reject within 90 days a request for dedication of infrastructure for affordable housing provided that the applicable meter and connection fees and utility costs are paid. Requires that the dedicated infrastructure conforms to county building codes. -- SB0440 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House

Mar-12 09 Multiple Referral to HSG/ WLO/ then TRN

SB0442 SD2 (SSCR 804)

RELATING TO TRANSIT ORIENTED DEVELOPMENT.

Introduced by: Sakamoto N

Establishes provisions relating to transit oriented development. Allows the Hawaii housing finance and development corporation to grant funds to affordable housing developers for the purpose of contracting for the 3rd party review and certification to expedite the processing and issuance of building permits for an affordable housing project that is part of a transit oriented development, provided that no more than 10,000 dollars may be expended for 3rd party review for each affordable housing project. Requires counties to certify that the project is in a transit oriented zone. Requires that an affordable housing project includes a minimum of 30 units of which at least 50 per cent are affordable units for rent or for sale. Appropriation. -- Establishes commission on transit oriented development law. Establishes commission within the department of business, economic development and tourism. Requires the commission to serve in an advisory capacity to the state legislature, the legislative body of each county, and the appropriate state and county agencies. Requires the commission to identify regulatory barriers to housing near transit stations, identify ways to improve coordination of housing and transportation planning, identify strategies for addressing area housing and transportation, identify ways to improve the leveraging of housing and transportation funds, identify financial incentives for funding mixed income and affordable housing near transit, identify tax incentives for the development or rehabilitation of community health care facilities within mixed use transit oriented development projects, monitor outcomes and update goals and objectives, and undertake related functions. Appropriation (\$\$) -- SB0442 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House

Mar-12 09 Multiple Referral to TRN then HSG/ WLO/ then FIN

SB0449 SD2 (SSCR 622)

RELATING TO PATIENT PRESCRIPTION INFORMATION.

Introduced by: Hooser G, Baker R, Ige D, English J, Chun Oakland S, Green J, Espero W

Establishes provisions relating to prescription information; confidentiality; violation. Requires that records relative to prescription information containing identifiable patient data shall not be licensed, transferred, used, or sold by any pharmacy benefits manager, insurance company, electronic transmission intermediary, pharmacy licensed, physician or osteopathic physician licensed or other similar entity for any commercial purpose. Requires the department of commerce and consumer affairs to refer reports of any person or entity in violation to the appropriate professional licensing or regulatory body for investigation and disciplinary action, including the suspension or revocation of the person or entity's license or permit to practice. -- SB0449 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House

Mar-12 09 Multiple Referral to HLT then CPC

SB0455 SD1 (SSCR 513)

RELATING TO PUBLIC HOUSING.

Introduced by: Hooser G

Establishes provisions relating to smoking in and around public housing; designated smoking areas. Requires the Hawaii public housing to designate no more than 50 per cent of the units in public housing projects as smoking units and designate 1 or more permissible smoking areas not less than 20 feet from any residential building or community facility of a public housing project. Allows the authority to terminate any lease, rental agreement, permit, or licensee upon the 3rd violation provided that, a violation by a non resident who is visiting a resident shall be deemed a violation by the resident only if the resident is within 20 feet of the visitor at the time of the violation. -- SB0455 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House

Mar-12 09 Multiple Referral to HSG/ HLT/ then JUD

SB0461 SD1 (SSCR 253)

RELATING TO RENEWABLE ENERGY.

Introduced by: Gabbard M, Hooser G

Amends provisions relating to utilization of electricity generated from non fossil fuels under public utilities commission law. Repeals the authority to determine the just and reasonable rate for the nonfossil fuel generated electricity supplied to the public utility by the producer. -- SB0461 SD1

Current Status: Mar-10 09 Introduction/Passed First Reading - House

Mar-10 09 Multiple Referral to EEP then CPC

## SENATE BILLS THAT PASSED THIRD READING

- SB0464 SD2 (SSCR 850)      RELATING TO TAXATION.  
Introduced by: Gabbard M, Green J  
Amends the standard deduction for income tax purposes as provided by section 469 (with respect to passive activity losses and credits limited) of the Internal Revenue Code shall be operative for the purposes of this chapter; provided that section 469(d)(1) shall not include any deduction provided by section 167(a) (with respect to depreciation) of the Internal Revenue Code as operative for this chapter. Passive activity credit as used in section 469 as operative for this chapter shall include only those credits which fall under the subparts specified in section 469(d)(2)(A) (with respect to business related credits and other vehicle credits) of the Internal Revenue Code and which have specifically been made operative for income tax purposes. -- Amends provisions relating to section 704 (with respect to partner's distributive share) of the Internal Revenue Code by providing that section 704(b)(2) shall not apply to allocations of the renewable energy technologies income tax credit. -- Amends provisions relating to the renewable energy technologies income tax credit. Changes the credit to be for solar energy systems, wind powered energy systems, and solar electric energy systems with a cap amounts. -- SB0464 SD2  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to EEP then FIN
- SB0466 SD2 (SSCR 501)      RELATING TO POLLUTION.  
Introduced by: Gabbard M  
Establishes provisions relating to leaf blowers under air pollution control law. Prohibits any person to operate a leaf blower within a residential zone or within 100 feet of a residential zone except between the hours of 8:00 am and 8:00 pm on any day except Sunday, and between the hours of 9:00 am and 6:00 pm on Sunday or a federal holiday. Establishes fines. Prohibits any person to use or operate a leaf blower to blow, dispel or make airborne, dust, leaves, grass cuttings, paper, trash or any other type of unattached debris or material, beyond the parcel boundaries of the parcel being cleaned, unless the consent of the adjoining owner or person in possession of the adjoining property is obtained. Prohibits any person to use or operate a leaf blower to blow leaves dirt and other debris onto the public rights of way or onto private property not owned, leased, or controlled by the leaf blower operator or the employer or contractor to allow such debris to remain there in excess of 30 minutes. -- SB0466 SD2  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to EEP then JUD
- SB0468 SD1 (SSCR 28)      RELATING TO COASTAL ZONE MANAGEMENT.  
Introduced by: Hee C  
Amends provisions relating to public access. Requires the counties to ensure reasonable street parking near public access areas in the special management area. Amends provisions relating to coastal zone management. Requires affected agencies to adequately plan to minimize the risk for coastal hazards such as tsunamis, storm waves, flooding, erosion, hurricane, wind, and sea level rise and that the development does not impede public access to the shoreline or beach area. Requires setbacks along shorelines be established at a distance not less than the average annual erosion rate based on a 100 year projection in addition to the minimum distance of 40 feet from the shoreline. -- SB0468 SD1  
Current Status:      Feb-17 09 Introduction/Passed First Reading - House  
                         Feb-20 09 Multiple Referral to WLO then JUD
- SB0470      RELATING TO LIQUOR.  
Introduced by: Takamine D  
Amends provisions relating to notification of hearing, service; tax clearance before procuring liquor licenses; and intoxicating liquor laws. -- SB0470  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to CPC/ JUD/ then FIN
- SB0474 SD1 (SSCR 497)      PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE HAWAII CONSTITUTION, TO CLARIFY THE GUBERNATORIAL APPOINTMENT PROCESS.  
Introduced by: Hanabusa C  
Proposes to amend the constitution. Requires the Governor to nominate successors within the time limits required by law. -- SB0474 SD1  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Single Referral to JUD
- SB0477      RELATING TO GOVERNMENT RETENTION OF ATTORNEYS.  
Introduced by: Hanabusa C  
Amends provisions relating to employment of attorneys. Authorizes the speaker of the house of representatives or the president of the senate, separately as well as jointly, to employ or retain

## SENATE BILLS THAT PASSED THIRD READING

attorneys. -- SB0477

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to LMG then JUD then FIN

SB0478 SD2 (SSCR 625)

RELATING TO DISASTER RELIEF.

Introduced by: Hanabusa C

Amends provisions relating to disaster relief agency. Provides that the disaster relief agency and the director of disaster relief shall be the civil defense agency and the director of civil defense. -- Amends provisions relating to disaster relief by adding disasters not caused by enemy attacks. Provides that disaster relief shall be in effect and available to provide relief for disasters not covered under the civil defense and emergency Act, and the governor and political subdivisions may exercise their powers for these disasters. Provides that to exercise the power for disasters that are not caused by a fire, flood, tidal wave, volcanic eruption, earthquake, pandemic illness, or other natural causes and major disasters caused by acts of man, including but not limited to massive oil spills, nuclear accidents, airplane crashes, and civil disturbances, or an enemy attack or act of terrorism, the governor is to 1st find and declare through an emergency proclamation that tangible and measurable harm or damage has resulted as a consequence of the disaster and that the disaster relief could not otherwise be achieved through legislation enacted in the next occurring regular session of the legislature or a special session of the legislature called by the governor before exercising the power to provide disaster relief. Provides that any disaster beyond relief provided shall not extend beyond the next occurring regular session of the legislature unless expressly authorized by the legislature. -- SB0478 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then FIN

SB0485 SD2 (SSCR 801)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CARBON DIVERSION INC.

Introduced by: Hanabusa C (BR)

Authorizes the issuance of special purpose revenue bonds to assist Carbon Diversion Inc., or a partnership in which it is a general partner, for the establishment of a cogeneration facility and related energy production facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0485 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then FIN

SB0486 SD2 (SSCR 805)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES.

Introduced by: Hanabusa C (BR)

Authorizes the issuance of special purpose revenue bonds to assist BioEnergy Hawaii, LLC, or a partnership in which it is a general partner, in the construction and operation of a cogeneration facility and related energy production facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0486 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then FIN

SB0496 SD2 (SSCR 848)

RELATING TO CHARTER SCHOOLS.

Introduced by: Sakamoto N

Amends provisions relating to charter schools. Requires compliance with board of education policies and department of education directives. Empowers the charter school review panel to review, modify and approve charter schools budgets, capital improvement projects and recommendations of the charter school administrative office to allocate non per pupil facilities funds. Provides that the per pupil funding amount for charter school students shall not be less than the per pupil amount of the department. Requires the department to retain 5 per cent of the charter school's federal grants and subsidies as an administrative fee. -- SB0496 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then FIN

SB0497 SD1 (SSCR 161)

RELATING TO THE HAWAII TEACHER STANDARDS BOARD.

Introduced by: Sakamoto N, Chun Oakland S

Establishes provisions relating to an advisory committee for the Hawaii teacher standards board. Requires the committee to provide oversight of the board. Requires the committee to give the governor a list of qualified candidates for the board. Annual report to the legislature and to the board of education. -- Amends provisions relating to the powers and duties of the Hawaii teacher standards board. Authorizes the board how fees are collected and to adopt, amend, repeal, or suspend the policies and standards of the board. Authorizes the board to employ an executive director exempt from civil service and public service laws. Amends Act 263, session laws of

## SENATE BILLS THAT PASSED THIRD READING

2007, by repealing the sunset date. -- Requires the Hawaii teacher standards board to coordinate a data sharing effort that involves technology, functionality, and project management and coordination. Report to the legislature. Appropriation to the department of education for the Hawaii teacher standards board to coordinate an effort that creates a data interface network among public and private Hawaii teacher education institutions and the department. Requires funds be used or disbursed in consultation with the participating organizations. (\$\$) -- SB0497 SD1

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to EDN/ LAB/ then FIN

SB0501

RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE.

Introduced by: Tokuda J

Amends provisions relating to teacher education coordinating committee. Changes membership by replacing teacher training institution in Hawaii with Hawaii state approved education unit. -- SB0501

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to EDN/ LAB/ then FIN

SB0504 SD2 (SSCR 829)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Tokuda J

Appropriation to the university of Hawaii for the establishment of a sustainability internship program. Authorizes the university to fund the program through alternative means and requires the university to work with the sustainable saunders project to identify alternative methods of funding the program. Report to the legislature. (\$\$) -- SB0504 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then HED then FIN

SB0506 SD1 (SSCR 471)

RELATING TO PROCUREMENT.

Introduced by: Tokuda J

Amends provisions relating to Hawaii procurement code. Amends the definition of Hawaii products by redefining product classes I and II and repealing class III. Allows self certification as part of the offer that the Hawaii products qualify for preference. -- SB0506 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM/ AGR/ then FIN

SB0512 SD2 (SSCR 700)

RELATING TO TAXATION.

Introduced by: Baker R

Amends provisions relating to the ethanol production facility income tax credit by replacing ethanol with biofuel. Provides that the tax shall be 40 cents per gallon and that a qualifying biofuel production facility shall be located within the State and utilize locally grown feedstock for at least 75 per cent of its production output. -- SB0512 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ AGR/ then FIN

SB0516 SD1 (SSCR 294)

RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT.

Introduced by: Baker R, Ige D

Establishes the physician orders for life sustaining treatment law. Allows a patient and a patient's surrogate to choose to execute or not execute life sustaining treatment. Authorizes the department of health to require all private health care facilities and hospitals in the State adopt the use of a standardized physician orders for life sustaining treatment form. Authorizes the Hawaii health systems corporation to require all health care facilities and community hospitals within Hawaii health systems corporation to adopt the use of a standardized physician orders for life sustaining treatment form. -- SB0516 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then JUD then FIN

SB0520 SD1 (SSCR 467)

RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT.

Introduced by: Baker R, Kidani M

Amends provisions relating to legal ownership certification. Prohibits a dealer to sell or advertise for sale a new motor vehicle unless the dealer has the actual legal ownership certificate or a certificate of origin or its equivalent issued to the dealer by the manufacturer or distributor. -- Further prohibits a dealer to sell or advertise for sale a used motor vehicle unless the dealer possesses evidence that all liens on the motor vehicle have been satisfied and the actual legal ownership certificate or proof of the right to possess the legal ownership certificate for the motor vehicle. -- SB0520 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House

## SENATE BILLS THAT PASSED THIRD READING

Mar-12 09 Multiple Referral to CPC then JUD

- SB0521 SD2 (SSCR 707) RELATING TO REAL PROPERTY.  
Introduced by: Baker R (BR)  
Amends provisions relating to copies of instruments, certificates. Requires that the registrar of the bureau of conveyances provide the real property assessment administrator of the city and county of Honolulu without charge, an image and index of all instruments and documents that have been recorded in the registrar's office during each week within 10 days after the end of each week. Requires that the administrator provide copies of the images, without charge, to the real property assessment administrators of the other counties. -- SB0521 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then FIN
- SB0522 SD2 (SSCR 844) RELATING TO LAND COURT.  
Introduced by: Baker R (BR)  
Amends provisions relating to entry record; duplicates and certified copies. Requires that the assistant registrar of the land court provide, within 10 days after the end of each week, to deliver or forward by mail or electronic transmission, and without charge, to the real property assessment administrator of the city and county of Honolulu an image and index of all deeds and other voluntary instruments, writs, or other process that have been filed or recorded relating to registered land in all the counties. Requires that the real property assessment administrator of the city and county of Honolulu provide copies of the images, without charge, to the real property assessment administrators of the other counties. -- SB0522 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then FIN
- SB0523 SD2 (SSCR 800) RELATING TO HIGH TECHNOLOGY.  
Introduced by: Baker R, Fukunaga C  
Amends provisions relating to high technology research and development loans and grants. Allows the high technology development corporation to provide grants to any business in Hawaii that receives a federal small business technology transfer program award or contract from any participating federal agency or applies for a small business innovation research federal grant or small business technology transfer program federal grant, in an amount not to exceed 3,000 dollars. -- SB0523 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then FIN
- SB0528 SD1 (SSCR 225) RELATING TO TOBACCO.  
Introduced by: Taniguchi B  
Amends Act 131, session laws of 2005, relating to retail tobacco permit by repealing the sunset date. -- SB0528 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then FIN
- SB0532 SD1 (SSCR 589) RELATING TO LIMITING CIVIL LIABILITY.  
Introduced by: Taniguchi B (BR)  
Establishes provisions relating to owner to felon; limited liability. Provides that any owner of any estate or any other interest in real property shall not be liable to any person for any injury or death that occurs upon that property during the course of or after the commission of any felony by the injured or deceased person. Defines owner as owner, occupant, tenant or anyone authorized to be on the property by the owner or occupant, including guest or family or household member, employee or agent of the owner. -- SB0532 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD
- SB0535 RELATING TO INTOXICATING LIQUOR.  
Introduced by: Taniguchi B (BR)  
Amends provisions relating to prohibitions under intoxicating liquor law. Prohibits a person to possess any open liquor container or consume any liquor on any public highway, public sidewalk, or public housing project area designated by the Hawaii public housing authority. -- SB0535  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to HUS then JUD
- SB0536 SD1 (SSCR 551) RELATING TO STARLIGHT RESERVE.  
Introduced by: Espero W  
Requires the department of business, economic development, and tourism to develop a statewide



## SENATE BILLS THAT PASSED THIRD READING

starlight reserve strategy. Establishes a temporary advisory committee within the department to assist. Report to the legislature. Committee terminated on June 30, 2011 (sunset). -- SB0536 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ WLO/ then FIN

SB0537 SD2 (SSCR 704)

RELATING TO AEROSPACE.

Introduced by: Espero W

Establishes provisions relating to aerospace advisory committee. Establishes an aerospace advisory committee within the office of aerospace development of the department of business, economic development and tourism. Requires the committee to assist the legislature and state agencies in monitoring, assessing, and promoting the development of the aerospace industry. -- SB0537 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then FIN

SB0539 SD1 (SSCR 569)

RELATING TO CORRECTIONS.

Introduced by: Espero W

Establishes provisions relating to reentry services division; established; duties under public safety law. Establishes a reentry services division under the department of public safety to ensure that the present and future reentry needs of person committed to correctional facilities are being evaluated and met in an effective and appropriate manner; assume all of the programs and services of the intake service center division, existing as of July 1, 2009; provide additional reentry services to include, but not limited to, working closely and collaborating with the furlough programs in each county that are currently managed by the department institutions division; work closely and collaborate with the Hawaii paroling authority; and work closely and collaborate with the corrections program services division. Requires the intake services center division to be renamed the intake reentry services division. -- SB0539 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then FIN

SB0540 SD2 (SSCR 715)

RELATING TO PUBLIC SAFETY.

Introduced by: Espero W

Establishes provisions relating to residential drug abuse program. Requires the department of public safety to establish a residential drug abuse program for the treatment and community reintegration of nonviolent offenders who have a history of drug or alcohol abuse, are in the custody of the State, and have been certified as graduates of the in facility phase of a residential drug abuse program. -- SB0540 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then FIN

SB0546 SD1 (SSCR 145)

RELATING TO CORRECTIONS.

Introduced by: Espero W, Hooser G

Requires the department of public safety to establish and administer an electronic monitoring pilot program on Oahu for eligible committed persons. Requires program participants to be permitted to live and work in the community and to be electronically monitored by the department at all times. Requires the department to select the program participants subject to the approval of the prosecuting attorney of the county in which the committed person was convicted and limited to a maximum of 30 participants at any time. Report to the legislature. Appropriation. (\$\$) -- SB0546 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then FIN

SB0549 SD1 (SSCR 468)

RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT.

Introduced by: Espero W

Amends provisions relating to the motor vehicle express warranty enforcement (lemon law). Redefines motor vehicle to include a motorcycle. -- SB0549 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to CPC then JUD

SB0552 SD1 (SSCR 619)

RELATING TO ENERGY-EFFICIENT VEHICLES.

Introduced by: Espero W, Hemmings F, Gabbard M, Hooser G

Establishes provisions relating to light duty motor vehicle requirements. Provides that the procurement policy for all agencies purchasing or leasing motor vehicles shall be to reduce dependency on petroleum for transportation energy. Requires that beginning January 1, 2010, all state and county entities shall select vehicles having reduced dependence on petroleum based

## SENATE BILLS THAT PASSED THIRD READING

- fuels when purchasing or leasing new vehicles. Establishes priority list for vehicles. -- SB0552 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ TRN/ then FIN
- SB0553 SD2 (SSCR 685) RELATING TO ENERGY-EFFICIENT LIGHTING.  
Introduced by: Espero W, Green J, Hooser G, Gabbard M  
Amends provisions relating to energy efficiency through life cycle costing. Requires that by January 1, 2010, all state agencies, except for facilities administered by the department of public safety and other facilities that require non qualifying light bulbs for public safety reasons, replace any incandescent light bulbs in use in any state government facility with ENERGY STAR qualified compact fluorescent light bulbs and light emitting diode lighting products. -- SB0553 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ EBM/ then FIN
- SB0555 SD2 (SSCR 617) RELATING TO ENERGY EFFICIENCY.  
Introduced by: Espero W, Green J, Gabbard M  
Establishes provisions relating to appliance energy efficiency; rules. Requires the director of business, economic development and tourism to adopt rules for the energy efficiency of new appliances. Prohibits new appliances to be sold or offered for sale that do not meet the standards for energy efficiency. Requires the department of business, economic development and tourism to investigate the advantages and disadvantages of joining a multi state compliance standard collaborative, the appliance standard awareness project or both for the purposes of gathering information and receiving assistance. Report results of investigation and recommendations for action to the Legislature. -- SB0555 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ EBM/ then FIN
- SB0559 SD2 (SSCR 686) RELATING TO RECYCLING.  
Introduced by: Espero W  
Establishes provisions relating to Hawaii recycling program. Requires the department of accounting and general services to establish a mandatory recycling program for all state buildings and facilities over which the department has authority. Provides that the recycling program include all recyclable paper products, electronic devices, plastics, furniture, and all other recyclable items. Requires the energy resources coordinator to cooperate with the department. Report to the legislature. Amends provisions relating to deposit into deposit beverage container deposit special fund; use of fund. Allows the department of health to fund the Hawaii recycling program. Appropriation out of the deposit beverage container deposit special fund. (\$\$) -- SB0559 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then FIN
- SB0560 SD2 (SSCR 637) RELATING TO PUBLIC SAFETY.  
Introduced by: Espero W  
Establishes a task force on the disparate treatment of native Hawaiians and other groups in the State's criminal justice system within the office of Hawaiian affairs. Report to legislature. Appropriation. (\$\$) -- SB0560 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then HAW then FIN
- SB0564 SD2 (SSCR 506) RELATING TO FIRE PROTECTION.  
Introduced by: Espero W  
Amends provisions relating to right of entry for inspection; unlawful to obstruct. Requires the county fire chiefs or their designees to conduct fire inspections at all other buildings and premises except schools, once every 5 years to provide fire prevention and pre fire planning as deemed practicable. -- SB0564 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then FIN
- SB0567 RELATING TO HEALTH.  
Introduced by: Espero W, Green J, Hemmings F  
Establishes provisions relating to blood donations; age of donor under department of health law. Allows any person 18 years of age or older to donate blood in any voluntary and noncompensatory blood program without obtaining parental permission or authorization. Allows any person 16 years of age or older, but who has not attained the age of 18 to donate blood in a voluntary and noncompensatory blood program if the person obtains written permission from

## SENATE BILLS THAT PASSED THIRD READING

- the person's parent or guardian. -- SB0567  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to HLT then JUD
- SB0568 SD2 (SSCR 653) RELATING TO ELECTRONIC PRESCRIPTIONS.  
Introduced by: Espero W, Green J  
Establishes the electronic prescription drug program task force within the department of health to develop a plan to establish and implement the mandatory use of an electronic prescription drug program. Requires the governor to appoint the task force members. Report to the legislature. Task force shall cease to exist on December 31, 2010 (sunset). -- SB0568 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then FIN
- SB0571 RELATING TO A VETERANS' MEMORIAL.  
Introduced by: Espero W  
Directs the department of accounting and general services and the department of defense to jointly develop a plan to create a memorial to the veterans of the Persian Gulf War and Operation Desert Storm and to select a site within the capitol district for the memorial. Requires public hearing to be held. Report to the legislature by the departments. -- SB0571  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then FIN
- SB0572 SD2 (SSCR 780) RELATING TO CONDOMINIUMS.  
Introduced by: Espero W, Fukunaga C  
Amends provisions relating to condominiums. Prohibits the amount of special assessment for delinquent monthly common assessment from exceeding 3,600 dollars. Expands limitations on association liability for elderly unit owners aging in place to include disabled persons. -- SB0572 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS then CPC/ JUD/
- SB0574 SD1 (SSCR 469) RELATING TO CONDOMINIUMS.  
Introduced by: Espero W, Fukunaga C  
Amends Act 244, session laws of 2007, relating to condominiums by changing the sunset date to June 30, 2011. Amends Act 205 session laws of 2007, relating to condominiums by changing the sunset date to June 30, 2011. -- SB0574 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to CPC
- SB0579 SD2 (SSCR 656) RELATING TO THE HAWAIIAN LANGUAGE.  
Introduced by: English J, Green J  
Amends provisions relating to the Hawaiian language; spelling. Requires beginning January 1, 2011, all documents and letterhead prepared by or for state or county agencies or offices to include accurate, appropriate, and authentic Hawaiian names and words, including but not limited to macrons and glottal stops printed above the English translations provided that any revision to conform any document or letterhead existing on or before January 1, 2011 to the requirements of this section may be implemented when the document or letterhead requires replacement or reprinting, or otherwise requires revision. -- Amends provisions relating to State language. Requires beginning January 1, 2011 the Hawaiian languages is to be used on all emblems and symbols representative of the State provided that for emblems and symbols existing on January 1, 2011 conformance with this section may be delayed until a replacement for the emblem or symbol is required. -- SB0579 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HAW then WLO/ JUD/ then FIN
- SB0580 SD2 (SSCR 783) RELATING TO FORFEITURE.  
Introduced by: English J, Green J  
Establishes provisions relating to forfeiture. Provides that in addition to criminal penalties for violating Kahoolawe island reserve law, violators may be subject to civil remedies including criminal forfeiture. Requires that the department of land and natural resources participate in the criminal forfeiture program. -- SB0580 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then JUD
- SB0585 SD2 (SSCR 738) RELATING TO REMOTE DISPENSING.  
Introduced by: English J, Ige D

## SENATE BILLS THAT PASSED THIRD READING

Amends provisions relating to remote dispensing pharmacy; operations. Prohibits remote dispensing pharmacies to provide medications to patients with health insurance except patients covered by QUEST; patients served at a facility operated by a health maintenance organization (HMOs); and patients residing on an island without a pharmacy or in remote areas without an existing pharmacy within a 5 mile radius. Amends Act 212, session laws of 2008, by repealing the sunset date. -- SB0585 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC then FIN

### SB0588 SD1 (SSCR 574) RELATING TO NONGOVERNMENT HEALTH PLAN PAYMENTS TO CRITICAL ACCESS HOSPITALS AND FEDERALLY QUALIFIED HEALTH CENTERS.

Introduced by: Ige D

Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for critical access hospitals of no less than 101 per cent of cost, consistent with Medicare, for all services provided to members and for federally qualified health centers of no less than their prospective payment system rates. -- SB0588 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT/ HUS/ then CPC then FIN

### SB0591 SD1 (SSCR 586) RELATING TO INSURANCE.

Introduced by: Ige D

Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) that provides health care coverage regular employees of any group or association offer the same coverage to part time employees. Requires the insurance commissioner to prepare a report of cost and benefits of this Act. Report to the legislature. Act to be repealed July 1, 2011 (sunset). -- SB0591 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC then FIN

### SB0595 SD1 (SSCR 571) RELATING TO CONDOMINIUM PROPERTY REGIMES.

Introduced by: Fukunaga C

Amends provisions relating to telecommunications equipment and additions to and alterations of condominiums. Allows the board of directors of an association to allow owners to install antennas for amateur radios. Requires a written statement of the reasons for denial. -- SB0595 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to CPC

### SB0602 SD2 (SSCR 806) RELATING TO THE ARTS.

Introduced by: Fukunaga C, Baker R, Taniguchi B

Amends provisions relating to the works of art special fund. Adds that the fund may be used for costs related to creation of electronic, digital, or other permanent records of works of art. Includes art for all state buildings and the Bishop Pauahi Museum and Iolani Palace. Defines works of art to include live performing arts. Act repealed on December 31, 2011 (sunset). -- SB0602 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TCI then HAW then FIN

### SB0603 SD1 (SSCR 512) RELATING TO PUBLIC UTILITIES.

Introduced by: Fukunaga C, Espero W, Baker R

Establishes provisions relating to local exchange intrastate services; fully competitive. Requires the public utilities commission to classify the State's local exchange intrastate telecommunications services, under the commission's classification of services relating to costs, rates, and pricing, as fully competitive and apply all commission rules in accordance with that designation. Prohibits telecommunications services providers to charge a rate for any retail telecommunications services that exceeds the rate charged for the same services as of June 30, 2009. -- SB0603 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to CPC

### SB0604 SD2 (SSCR 620) RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS.

Introduced by: Fukunaga C, Green J, Chun Oakland S, Nishihara C, Baker R, Ige D, Kidani M, Kim D

Establishes provisions relating to emergency contraceptives for sexual assault survivors. Requires hospitals that provide medical care to sexual assault survivors to provide each sexual assault survivor with medically and factually accurate written and oral information about emergency contraception; orally inform each survivor of her option to receive emergency contraception at the hospital; immediately provide emergency contraception to each sexual

## SENATE BILLS THAT PASSED THIRD READING

assault survivor who requests it; and ensure that each person at the hospital that provides care to a survivor is trained in sexual assault treatment and emergency contraception. Requires the department of health pay the cost of the emergency contraception dispensed to sexual assault survivors from the domestic violence and sexual assault special fund. Establishes provisions relating to enforcement; administrative penalties. Requires the department to set charge and collect administrative fines and recover administrative fees and costs, including attorney's fees and costs, resulting from a violation. Requires the department to establish a policy and procedure to monitor compliance, including complaints process and provide written notice to any hospital that the department determines is in violation, including an opportunity to take corrective action.

-- SB0604 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then JUD

SB0605 SD1 (SSCR 564)

RELATING TO NOISE.

Introduced by: Fukunaga C, Galuteria B

Requires the county liquor commissions, with the assistance of the department of health and the department of labor and industrial relations to develop recommendations for a permanent maximum sound level, in decibels, for liquor establishment. Establishes provisions relating to noise measurement; rules. Requires the department of health to adopt rules and to use both the dBC and the dBA sound level measurements systems for purposes of community noise control. Requires the department and the county liquor commissions to have the discretion to either enforce or allow nighttime noise levels measured between 50, but not more than 60 decibels in certain areas it deems appropriate and not adversely affecting public health and safety. -- SB0605 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then CPC/ JUD/

SB0606 SD2 (SSCR 509)

RELATING TO CONDOMINIUMS.

Introduced by: Fukunaga C, Baker R, Chun Oakland S, Galuteria B

Establishes provisions relating to renewable energy devices. Allows the board of directors of an association to install or permit the installation of solar energy devices and wind energy devices on the common elements of the project, including leasing or licensing the common elements for such installations. -- SB0606 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then CPC

SB0614

RELATING TO FAMILY LEAVE.

Introduced by: Espero W

Amends provisions relating to family leave. Adds that an employee shall be entitled to a total of 4 weeks of family leave during any calendar year to address impending military deployment or active military deployment of the employee's child, spouse, reciprocal beneficiary or parent. Requires the employee to provide the employer with a copy of the military orders verifying the military deployment of the employee's child, spouse, reciprocal beneficiary, or parent, and any other certifications or supporting documentation. -- SB0614

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to EBM then LAB then FIN

SB0619 SD2 (SSCR 776)

RELATING TO VOTING.

Introduced by: Espero W

Amends provisions relating to rules for determining residency for voting. Allows a person to keep their residency while confined in a prison, jail correctional facility or community correctional facility within or outside the State. -- Amends provisions relating to who may vote by absentee ballot. Requires that an absentee ballot be the method of voting for all persons registered to vote as residents of the State who are confined in a prison, jail, correctional center, or community correctional center. -- Amends provisions relating to the delivery of ballots. Allows the chief election officer to prepare special ballots provided that the text is identical in substance with that appearing on the official ballots. -- Amends provisions relating to rights lost by convicted persons. Allows a person sentenced for a felony to vote during the period of probation or parole, or by absentee ballot while imprisoned during a period commencing two years prior to the person's scheduled final discharge from imprisonment. -- Amends provisions relating to the certificate of discharge. Allows the defendant to vote and hold public office after being discharged. -- SB0619 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then JUD then FIN

SB0623 SD1 (SSCR 708)

RELATING TO TUITION ASSISTANCE.

## SENATE BILLS THAT PASSED THIRD READING

- Introduced by: Espero W  
Amends provisions relating to tuition assistance for Hawaii national guard personnel to attend the university of Hawaii. Authorizes the adjutant general to award tuition assistance for qualified enlisted persons, warrant officers, and officers in the Hawaii national guard who are students working toward a degree on any campus of the University of Hawaii. Provides a priority to students working toward an undergraduate degree for the awarding of available funding for tuition assistance. Appropriation. (\$\$) -- SB0623 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then HED then FIN
- SB0633 SD1 (SSCR 554) RELATING TO WATER.  
Introduced by: Hee C  
Amends provisions relating to Molokai irrigation system water users advisory board; establishment; meetings. Requires that at least 4 members of the Molokai irrigation system water users advisory board be Hawaiian homestead farmers. Requires that all members of the advisory board be Molokai irrigation system users, residents of the island of Molokai and active general excise tax licensees. -- SB0633 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO/ AGR/ then HAW
- SB0635 SD1 (SSCR 453) RELATING TO STATE PARKS.  
Introduced by: Hee C  
Directs the department of land and natural resources to transfer land in Kahana Valley to the office of Hawaiian affairs. Requires the office to manage the lands and assist the 6 families residing in the valley to obtain long term residential leases. Transfers all rights, powers, functions, and duties of the department relating to the lands to the office. -- SB0635 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then HAW then FIN
- SB0636 SD1 (SSCR 470) RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.  
Introduced by: Hee C  
Amends provisions relating to identification of reference to registration of original. Amends provisions relating to certificate of acknowledgment; natural persons, corporations. -- SB0636 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then JUD
- SB0638 SD2 (SSCR 666) RELATING TO PUBLIC LANDS.  
Introduced by: Hee C  
Establishes a 2 year moratorium on the eviction of persons who reside in Kahana valley state park, have participated in interpretive programs for the valley and have continuously lived there since 1987 or hold or have held a long term lease or permit to reside there. Requires the department of land and natural resources to suspend pending eviction proceedings. Requires the department to report to the legislature, a report designated as the living park master plan. Establishes a planning council to complete the master plan. -- SB0638 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then FIN
- SB0639 SD1 (SSCR 211) RELATING TO PUBLIC LANDS.  
Introduced by: Hee C  
Authorizes the department of land and natural resources to negotiate and enter into long term residential leases for sites in state parks with acreage greater than 5,000 acres but less than 6,000 acres, not to exceed 55 years in duration, with persons who resided in the same park since 1987 and have participated in interpretive programs for the state park. Requires qualified persons to agree to be essential parts of the interpretive programs in the state park as directed by the department. Establishes a state park planning council to advise the department. -- SB0639 SD1  
Current Status: Feb-24 09 Introduction/Passed First Reading - House  
Feb-25 09 Multiple Referral to WLO then FIN
- SB0642 SD2 (SSCR 677) RELATING TO PUBLIC EMPLOYEES.  
Introduced by: Hee C  
Amends provisions relating to adjustments authorized; limitations, restrictions. Requires adjustments for excluded employees in the excluded managerial compensation plan be at least equal to across the board wage increases or reductions and changes in health and retirement benefits provided under collective bargaining agreements to employees in the bargaining unit from which the employees are excluded. -- SB0642 SD2

## SENATE BILLS THAT PASSED THIRD READING

	Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to LAB then FIN
SB0643 SD2 (SSCR 843)	RELATING TO PUBLIC LANDS. Introduced by: Hee C Amends provisions relating to additional powers in the Hawaiian Homes commission Act of 1920. Changes the management of Kahana valley state park from the department of land and natural resources to the department of Hawaiian home lands. Authorizes the department of Hawaiian home lands to negotiate and enter into long term residential leases not to exceed 99 years in duration. Amends Act 5, session laws of 1987, as amended by Act 238, session laws of 1988, Act 23, session laws of 1989, Act 106, session laws of 1991, Act 58, session laws of 1992, and Act 177, session laws of 1993. -- SB0643 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to WLO then HAW then FIN
SB0646 SD1 (SSCR 557)	RELATING TO PUBLIC ACCOUNTABILITY. Introduced by: Ihara L Amends provisions relating to program execution of the budget. Requires the governor to explain in writing any decisions to limit appropriations approved by the legislature. -- SB0646 SD1 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Single Referral to FIN
SB0654	RELATING TO VOTING. Introduced by: Ihara L, Chun Oakland S Establishes provisions relating to election day voter registration. Allows persons eligible to vote to register at the polling place for the precinct in which the person maintains residence, on that election day. -- SB0654 Current Status:	Mar-10 09 Introduction/Passed First Reading - House Mar-10 09 Multiple Referral to JUD then FIN
SB0659	RELATING TO STATE FUNDS. Introduced by: Ihara L Amends provisions relating to full disclosure of entities receiving state awards. Provides that the department of accounting and general services in collaboration with the department of budget and finance is responsible for collecting and posting on the website the information that is required for full disclosure. -- SB0659 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Single Referral to FIN
SB0661 SD2 (SSCR 828)	RELATING TO THE FUNERAL INDUSTRY. Introduced by: Ihara L, Chun Oakland S Establishes provisions relating to advisory committee. Authorizes the director of the department of commerce and consumer affairs to appoint an advisory committee consisting of cemetery authorities and pre need funeral authorities licensed and members of the public to advise the director on an on going basis, in carrying out the director's cemetery and funeral trusts duties and any administrative rules adopted; in determining the availability, efficacy, associated costs, and possible revenue sources related to the development, collection, and reporting of additional licensee and trust financial information; on enforcement of cemetery and funeral trusts and related administrative rules; proposing and developing amendments to the cemetery and funeral trust law or to any rules adopted; and on any other matter of concern regarding the funeral industry. Requires the director to establish and maintain a pre need cemetery and funeral special fund and to collect a 1 time fee of not more than ____ dollars per contract from each pre need funeral authority for deposit into the fund to be used to investigate any violation or complaint that has been lodged or asserted by reason of fraud, misrepresentation, or deceit against any pre need funeral authority. Requires every cemetery authority or pre need funeral authority to submit an audited financial statement and actuarial report to the director. Amends provisions relating to actuarial study, audited financial statement, trust agreement; available for review by adding complaints, consultants, reports, and contractor reports. Requires the department to submit a report annually that describes the status of the audited financial reports and actuarial reports of licensees to the legislature. Provides that 70 per cent of the funds paid by the purchaser to be transferred to the trustee and to remain in trust. Requires that the cemetery authority or pre need funeral authority provide an annual statement to the purchaser within 30 days of the close of the prior month. -- SB0661 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to CPC/ JUD/ then FIN

## SENATE BILLS THAT PASSED THIRD READING

- SB0667 SD2 (SSCR 784) RELATING TO WHISTLEBLOWERS' PROTECTION.  
Introduced by: Ihara L, Espero W, Tsutsui S  
Establishes provisions relating to protected disclosure by a public employee. Prohibiting an employer to discharge, threaten, or otherwise discriminate against an employee regarding a public employee's compensation, terms, conditions, location, or privileges of employment because the public employee, or a person acting on behalf of the public employee, reports or is about to report to the public employer or a public body, verbally or in writing. Provides that in addition to relief and damages a public employee who alleges a violation may bring a civil action for punitive damages. Requires public employers to post and keep posted notices pertaining to the application of the law in conspicuous places in every establishment where any public employee is employed prescribed by the department of labor and industrial relations. Establishes provisions relating to whistleblowers. Requires that the department to inform the complainant of the complainant's rights upon receipt of any complaint. -- SB0667 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then JUD then FIN
- SB0673 RELATING TO ZONING.  
Introduced by: Ihara L  
Amends provisions relating to county zoning. Requires group living facilities to adhere to restrictions on commercial deliveries, ambient noise and pollutant emission standards. -- SB0673  
Current Status: Mar-06 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS/ HLT/ then WLO
- SB0687 SD2 (SSCR 769) RELATING TO PROCUREMENT.  
Introduced by: Takamine D  
Establishes provisions relating to final decision; time. Requires a final decision on a request for a hearing related to an election procurement to be issued within 30 days of the receipt of a request for an administrative hearing or the filing of an application for judicial review. -- SB0687 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then JUD then FIN
- SB0688 RELATING TO EMPLOYMENT.  
Introduced by: Takamine D, Chun Oakland S  
Establishes provisions relating to worker retention in the event of divestiture. Requires that in the event of a divestiture of a covered establishment, the successor employer shall hire all incumbent nonsupervisory and nonconfidential employees, shall not require incumbent employees to file employment applications with the successor employer to be considered for hire unless existing employee files are incomplete, may conduct pre hire screening of the incumbent employees not prohibited by law, and may retain less than 100 per cent of incumbent employees if the nature of the successor establishment is substantially dissimilar or the human resources needs are reduced. -- SB0688  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to LAB then EBM then FIN
- SB0690 SD2 (SSCR 699) RELATING TO INTERGOVERNMENTAL MOVEMENTS.  
Introduced by: Takamine D  
Establishes provisions relating to intergovernmental exchanges or movements. Allows for the exchange or movement of civil service employees between the State and any county, between counties, between the federal government and the State, or between the federal government and any county provided certain conditions are met. -- SB0690 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then FIN
- SB0695 SD1 (SSCR 438) RELATING TO WORKERS' COMPENSATION.  
Introduced by: Takamine D, Chun Oakland S  
Amends provisions relating to medical care, services and supplies under workers' compensation law. Provides that when a dispute exists between an injured employee and the employer or employer's insurer regarding the proposed treatment plan or whether medical services should be continued, the injured employee shall continue to receive essential medical services prescribed by the treating physician necessary to prevent deterioration of the injured employee's condition or further injury until the director determines that medical services pursuant to the treatment plan shall be discontinued. Provides that the employer or the employer's insurer may recover from the claimant's personal health care provider or other appropriate occupation or non occupational insurer all the sums paid for medical services rendered after the employer, the employee, and the provider receives notification of the director's decision. Prohibits charges to claimant for the



## SENATE BILLS THAT PASSED THIRD READING

- disallowed services. Provides that the attending physician, employee, employer, or insurance carrier to request in writing that the director review the denial of the treatment plan or the continuation of medical services. -- SB0695 SD1  
Current Status: Mar-12 09 Passed Second Reading House  
Mar-12 09 Referred to FIN
- SB0696 SD1 (SSCR 827) RELATING TO COQUI FROGS.  
Introduced by: Takamine D, English J, Baker R, Hooser G  
Amends provisions relating to the transient accommodations tax. Provides that each county may elect to use a portion of its share of the revenues to eradicate coqui frogs. Further provides that if none of the counties elect to do so this Act shall be repealed on December 31, 2010 (sunset) and if a county does elect to do so this Act will be repealed on December 31, 2012 (sunset). -- SB0696 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to AGR/ TCI/ then FIN
- SB0697 RELATING TO INTOXICATING LIQUOR.  
Introduced by: Tsutsui S, English J, Kidani M  
Amends provisions relating to jurisdiction and powers under intoxicating liquor law. Allows the liquor commission with money collected from the assessment of fines against licensees within their own county to be expended to finance substance abuse treatment and prevention programs or private programs within the county, including educational programs. -- SB0697  
Current Status: Feb-13 09 Introduction/Passed First Reading - House  
Feb-17 09 Multiple Referral to HUS then CPC then FIN
- SB0698 SD3 (FLOOR AMENDMENT 2) RELATING TO THE RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX.  
Introduced by: Tsutsui S  
Amends provisions relating to the rental motor vehicle and tour vehicle surcharge tax. Changes the tax and provides that \_\_\_ per cent of the collection each month shall be deposited into the general fund. -- SB0698 SD3  
Current Status: Mar-12 09 Passed Third Reading Senate as amended (SD3)
- SB0701 SD2 (SSCR 735) RELATING TO LANDFILLS.  
Introduced by: Gabbard M  
Establishes provisions relating to Leeward coast landfills; moratorium. Prohibits any person, government agency or entity to construct or operate a new municipal solid waste landfill, green waste landfill, or otherwise, or expand any existing private solid waste landfill unit, or any component on or after August 1, 2009, on the leeward coast of Oahu from Kaena point to Waimanalo gulch. -- SB0701 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ WLO/ HSG/ then TCI then JUD
- SB0705 SD1 (SSCR 577) RELATING TO HAWAII PUBLIC PROCUREMENT CODE.  
Introduced by: Kim D, Chun Oakland S, Kidani M  
Establishes provisions for exemption for general services administration approved sole source vendor. Exempts a bidder or offeror who is a general services administration approved sole source vendor from competitive sealed bid provisions funded by state and federal matching funds. Provides that procurements of 100,000 dollars or less for goods and services shall be treated as small purchases. Provides that construction contracts of less than 250,000 dollars shall be treated as small purchases and shall require a performance bond. Act to be repealed on July 1, 2011 (sunset). -- SB0705 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then FIN
- SB0709 SD2 (SSCR 736) RELATING TO AGRICULTURE.  
Introduced by: English J  
Establishes the genetically engineered law. Prohibits any person to genetically engineer taro, or test, plant or grow any taro that has been genetically engineered. -- SB0709 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HAW then AGR
- SB0711 SD1 (SSCR 25) RELATING TO TRANSPORTATION.  
Introduced by: English J, Gabbard M  
Amends provisions relating to size of vehicles; width, height, and length. Requires that the length of an articulated bus for public transit purposes shall not exceed 82 feet in length and shall not consist of more than 3 units. -- SB0711 SD1

## SENATE BILLS THAT PASSED THIRD READING

	Current Status: Feb-17 09 Introduction/Passed First Reading - House Feb-20 09 Multiple Referral to TRN then JUD
SB0713 SD2 (SSCR 799)	<p>MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE.</p> <p>Introduced by: English J, Gabbard M</p> <p>Amends Act 4, 3rd special session of 2001, which establishes the emergency environmental workforce within the research corporation of the university of Hawaii by adding economic downturn. Appropriation. (\$\$) -- SB0713 SD2</p> <p>Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to EEP then HED then FIN</p>
SB0714 SD1 (SSCR 182)	<p>RELATING TO HIGH OCCUPANCY VEHICLE LANES.</p> <p>Introduced by: English J, Green J, Chun Oakland S, Espero W, Gabbard M</p> <p>Establishes provisions relating to high occupancy vehicle lanes; emergencies. Allows any motor vehicle, regardless of the number of passengers, to use the high occupancy vehicle lane (HOV) or zipper lane when 1 or more lanes are shut down by police or emergency services. Authorizes the director of transportation to declare an emergency to open the use of the HOV lanes and zipper lanes to all motor vehicles regardless of the number of passengers carried. -- SB0714 SD1</p> <p>Current Status: Feb-24 09 Introduction/Passed First Reading - House Feb-25 09 Multiple Referral to TRN then JUD</p>
SB0715	<p>RELATING TO TRANSPORTATION.</p> <p>Introduced by: English J, Green J, Chun Oakland S</p> <p>Amends provisions relating to statewide transportation plan. Requires the department of transportation to comply with county transportation related plans, county general plans, and all community, development, or community development plans adopted to the county general plan, to the extent that compliance does not affect the availability of federal funds. -- SB0715</p> <p>Current Status: Feb-13 09 Introduction/Passed First Reading - House Feb-17 09 Multiple Referral to TRN then WLO</p>
SB0718 SD1 (SSCR 26)	<p>RELATING TO TRANSPORTATION.</p> <p>Introduced by: English J</p> <p>Establishes provisions relating to complete streets. Requires the department of transportation and the county transportation departments to adopt a complete street policy that seeks to reasonably accommodate convenient access and mobility for all users of the public highways and trails system. -- Establishes a temporary task force to review existing state and county highway design standards and guidelines. Reports to the legislature. Task force shall cease to exist upon filing of its final report (sunset). -- SB0718 SD1</p> <p>Current Status: Feb-17 09 Introduction/Passed First Reading - House Feb-20 09 Multiple Referral to TRN then FIN</p>
SB0721	<p>RELATING TO DISTRICT-WIDE IMPROVEMENT PROGRAMS.</p> <p>Introduced by: Fukunaga C, Chun Oakland S, Galuteria B</p> <p>Amends provisions relating to district wide improvement program. Allows the community development district to consider such factors as determined by the community development authority which may include special or general benefits conferred upon the real property, and impacts and burdens created by the assessment. Allows the community development authority to issue and sell bonds in such amounts as may be authorized by the legislature to provide funds to finance public facilities. -- SB0721</p> <p>Current Status: Mar-10 09 Introduction/Passed First Reading - House Mar-10 09 Multiple Referral to WLO then FIN</p>
SB0733 SD2 (SSCR 842)	<p>RELATING TO EDUCATION.</p> <p>Introduced by: Sakamoto N, Tsutsui S</p> <p>Establishes provisions relating to use of data reflecting recent conditions in impact fee calculations. Requires school impact fees to be updated every 3 years. Amends provisions relating to school impact fees. Adds construction cost component impact fee and land component impact fees. Also adds formula to determine school area requirements. -- SB0733 SD2</p> <p>Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to EDN then WLO then FIN</p>
SB0746 SD1 (SSCR 644)	<p>RELATING TO EDUCATION.</p> <p>Introduced by: Sakamoto N, Chun Oakland S, Kidani M</p> <p>Requires the department of education to establish a 2 year pilot project to demonstrate the cost efficiencies and savings of complex wide allocations of the funds received by the complex area</p>

## SENATE BILLS THAT PASSED THIRD READING

through the weighted student formula. Interim and final reports to the legislature. -- SB0746 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then FIN

SB0747 SD2 (SSCR 657)

### RELATING TO WORKFORCE DEVELOPMENT.

Introduced by: Sakamoto N

Requires the department of education to convene the appropriate agencies including the university of Hawaii, the department of labor and industrial relations, and the department of business, economic development, and tourism to examine current and emerging programs seeking to track student progress and develop a comprehensive tracking system for students from kindergarten to the 12th grade and as they move into the workforce. Requires the system to assess the performance of the spectrum of educational reform efforts and resource allocations. Report to the legislature. Appropriation. -- Establishes provisions relating to a community business education exchange coordinator. Requires the department to establish a community business education exchange coordinator position to facilitate and promote volunteerism and community partnerships within the schools. Allows community partnerships to be established with any for profit, faith based, private, nonprofit, or other organizations in the community. Appropriation to the department for 1 permanent full time equivalent (1.0 FTE) community business education exchange coordinator position and 1 permanent full time equivalent (1.0 FTE) administrative assistant to the community business education exchange coordinator position. -- Appropriation for the enhancement of the department's volunteer website to include 64 schools. -- Amends Act 283, session laws of 2007, by adding that the educational workforce working group shall create a website for the dissemination of information, requiring reports to the legislature in 2010 and 2011, and adding an appropriation. -- Appropriation to the department of labor and industrial relations for working adult scholarships for individuals seeking to pursue training or instruction to establish a 2nd career in employment shortage areas such as nursing, teaching, agriculture, science, technology, engineering, or mathematics fields. (\$\$) -- SB0747 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN/ LAB/ then FIN

SB0754 SD1 (SSCR 639)

### RELATING TO AFFORDABLE HOUSING.

Introduced by: Sakamoto N

Requires the legislative reference bureau to review the state and county laws related to affordable housing, the Hawaii housing finance and development corporation, the Hawaii public housing authority, and county organization and administration, to identify strengthen Hawaii's housing laws. Report to the legislature. -- SB0754 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HSG then LMG

SB0763 SD1 (SSCR 591)

### RELATING TO CRUELTY TO ANIMALS.

Introduced by: Chun Oakland S

Amends provisions relating to cruelty to animals by fighting dogs. Provides that a person commits the offense of cruelty to animals by fighting dogs if the person causes, sponsors, arranges, or holds a fight between dogs, wagers on or pays admission to a dog fight, owns, trains, transports, possesses, breeds, sells, transfers, or equips a dog with the intent that the dog will be engaged in a dogfight, allows a dog fight to occur on any property owned or controlled by the person, allows any dog intended by the person to be used for a fight to be kept, boarded, housed, trained, or transported, on any property owned or controlled by the person, uses any means of communication for the promotion of a dog fight, or possesses any device intended to enhance the animal's fighting ability with the intent that the device be used to train or prepare the dog to fight. Defines device to mean both animate and inanimate objects and includes live animals used as bait animals. Provides that dog fighting is a class C felony. -- SB0763 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD

SB0764 SD2 (SSCR 782)

### RELATING TO REAL PROPERTY.

Introduced by: Chun Oakland S, Sakamoto N, Green J

Establishes provisions relating to leases of commercial and industrial property. Subjects any lease of commercial or industrial leasehold property to certain terms and conditions. Defines commercial or industrial leasehold property as any ground lease of real property situated in the State, zoned for commercial, industrial that is subject to a lease with a term of 10 years or more and an unexpired term of 5 years or more and the lessor is the owner of 50,000 square feet or more of the commercial or industrial leasehold property in the State. -- SB0764 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then JUD

## SENATE BILLS THAT PASSED THIRD READING

- SB0771 SD1 (SSCR 560)      RELATING TO APPRAISALS.  
Introduced by: Chun Oakland S, Sakamoto N  
Amends provisions relating to practice as a real estate appraiser; uniform standards; award. Requires that a real estate appraiser comply with the Uniform Standards of Professional Appraisal Practice when acting as an appraiser in an arbitration to determine the fair market value of real estate. Requires that in an arbitration proceeding to determine the fair market value or fair market rental of real property where the arbitrator is a licensed real estate appraiser, the record of award shall include the findings of fact, the appraiser's rationale for the award and information regarding the evidence which provided the basis for the award. -- SB0771 SD1  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Single Referral to CPC
- SB0773 SD2 (SSCR 687)      RELATING TO HOUSING.  
Introduced by: Chun Oakland S, Sakamoto N  
Appropriation to the housing finance and development corporation to assist developers in contracting for 3rd party review and certification including inspections, discretionary permits, and ministerial permits to expedite the processing and issuance of building permits for affordable projects. -- Appropriation to the Hawaii public housing authority for repair and maintenance of public housing projects. -- Appropriation to the authority for providing security in public housing project. -- Appropriation to the authority for outreach or support services to unsheltered homeless, at risk homeless, and those residing in homeless facilities. (\$\$) -- SB0773 SD2  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to HSG/ WLO/ then FIN
- SB0774 SD2 (SSCR 663)      RELATING TO SCHOOLS.  
Introduced by: Chun Oakland S, Sakamoto N  
Appropriation out of the federal temporary assistance for needy families (TANF) program funds to the department of human services for non school hour programs (A+, A-plus, A plus) to provide supervision of children kindergarten through 12th grades under the department of education and for the office of youth services for non school hour programs for children and youth enrolled in school. Establishes allocation percentages for each county based on the number of children 18 years of age or younger in each county. Provides that moneys allocated shall not reduce existing funding for non school hour programs, and shall be awarded by the expending agencies only to non school hour programs that demonstrate a commitment to partnering with the public and private sectors and involve youth as active participants in all phases of program planning, implementation, and evaluation. Requires all programs that receive such moneys to meet each quarter with their community partners for program evaluation and improvement. Requires the department of education, the office of youth services, and the counties to convene annually to share information on the best practices and outcomes. Annual report to the legislature by the office of youth services. -- Requires the county of Hawaii to expend funds for the implementation of the Safe Haven model demonstration program. (\$\$) -- SB0774 SD2  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to HUS then EDN then FIN
- SB0777 SD1 (SSCR 436)      RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION.  
Introduced by: Chun Oakland S, Baker R, Tokuda J, Fukunaga C, Kidani M  
Establishes provisions relating to medically accurate sexuality health education. Requires any recipient of state funding that provides sexual health education to provide medically accurate, factual information that is age appropriate and that includes education on both abstinence and contraception, and methods of disease prevention to prevent unintended pregnancy and sexually transmitted diseases, including HIV (human immunodeficiency, AIDS). -- SB0777 SD1  
Current Status:      Feb-24 09 Introduction/Passed First Reading - House  
                         Feb-25 09 Multiple Referral to HLT then EDN then FIN
- SB0782 SD1 (SSCR 84)      RELATING TO EMPLOYMENT SECURITY.  
Introduced by: Baker R, Tokuda J, Fukunaga C, Kidani M, Chun Oakland S  
Establishes provisions relating to eligibility of benefits for domestic or sexual violence victims under the Hawaii employment security law. Prohibits victims of domestic or sexual violence to be denied benefits where the individual is separated voluntarily or involuntarily from employment. -- SB0782 SD1  
Current Status:      Mar-10 09 Introduction/Passed First Reading - House  
                         Mar-10 09 Multiple Referral to LAB/ EBM/ then JUD then FIN
- SB0786 SD1 (SSCR 396)      RELATING TO HISTORIC PLACES.  
Introduced by: Chun Oakland S  
Establishes provisions relating to criminal trespass; historic sites; criminal property damage;

## SENATE BILLS THAT PASSED THIRD READING

- historic sites. Increases the penalties for criminal trespassing and property damage on property listed on the Hawaii Register of Historic Places. -- SB0786 SD1  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to WLO then JUD
- SB0794 SD1 (SSCR 585) RELATING TO HEALTH.  
Introduced by: Chun Oakland S, Green J, English J  
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for weight management and obesity prevention, evaluation, and guidance services for any dependent of a subscriber. -- SB0794 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC then FIN
- SB0799 PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CLARIFY THE SELECTION OF THE STUDENT MEMBER OF THE BOARD OF EDUCATION.  
Introduced by: Sakamoto N, Kidani M, Chun Oakland S  
Proposes to amend the constitution. Changes the public high school student member on the board of education to be selected as provided by law and repeals the provision that the student serve as a non voting member. -- SB0799  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to EDN then JUD then FIN
- SB0807 SD1 (SSCR 826) RELATING TO THE ENVIRONMENT.  
Introduced by: Chun Oakland S, Green J  
Appropriation to the department of education to establish a recycling program and provide recycling bins on every public school campus in the State. Requires the department of education in partnership with the department of health to develop and implement a 3 year food waste recycling pilot project in 1 or more schools. Appropriation. Reports to the legislature. Act to be repealed on June 30, 2012 (sunset). (\$\$) -- SB0807 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then EDN then FIN
- SB0809 SD2 (SSCR 815) RELATING TO CHILDREN.  
Introduced by: Chun Oakland S  
Establishes a task force to coordinate public and private resources to benefit homeless children. Requires the task force to establish findings and develop recommendations on how the State can coordinate public and private resources to benefit homeless children. Reports to the legislature. -- Establishes the kokua na keiki special fund administered and expended by the department of human services to establish and hire a homeless coordinator position and 1 support staff and to provide grants for innovative programs that benefit the homeless children or that help coordinate services for the benefit of homeless children. Appropriation out of available federal funds to the special fund and out of the special fund upon determination by the department that federal funds may be appropriately expended. Task force to be repealed on July 1, 2013 (sunset). (\$\$) -- SB0809 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS then FIN
- SB0818 SD2 (SSCR 841) RELATING TO HEALTH.  
Introduced by: Chun Oakland S, Ihara L, Baker R, Green J, Espero W  
Establishes provisions relating to inspections; public notice. Beginning January 1, 2011, requires the department of health to post on its website electronic copies of reports for all inspection it performs for state licensed care facilities. Beginning January 1, 2011, requires the department of human services to post on its website electronic copies of reports for all inspection it performs on adult day care centers and community care foster family homes. -- SB0818 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT/ HUS/ then FIN
- SB0821 SD2 (SSCR 645) RELATING TO ELDER CARE.  
Introduced by: Ihara L, Chun Oakland S, Baker R  
Requires the executive office on aging to cooperate with the county offices of aging to develop a plan to increase voluntary contributions to support the cost of kupuna care programs; procedures for managing the waitlist for kupuna care service; and policies for applying a cash and counseling approach to service delivery. -- SB0821 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT/ HUS/ then FIN

## SENATE BILLS THAT PASSED THIRD READING

- SB0823 SD1 (SSCR 439) RELATING TO FAMILY LEAVE.  
Introduced by: Ihara L, Chun Oakland S  
Establishes provisions relating to posting of notice under family leave law. Requires employers to post and keep posted notices clearly setting forth the rights of employees in a form prescribed by the director of labor and industrial relations in a conspicuous place in every establishment where any employee is employed. -- SB0823 SD1  
Current Status: Mar-12 09 Passed Second Reading House  
Mar-12 09 Referred to EBM
- SB0830 SD2 (SSCR 651) RELATING TO GOVERNMENT SHARED SERVICES TECHNOLOGY.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to a shared services technology special fund. Establishes the fund into which are deposited funds from participating departments and agencies and other sources to benefit from cost savings when implementing statewide information technology systems, hardware and software through a centrally coordinated planning, fund pooling, and multi department acquisition process. Report to the legislature. -- SB0830 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then FIN
- SB0843 SD1 (SSCR 332) RELATING TO SENTENCING.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to presentence mental and medical examinations. Provides that a court may order a defendant who has been convicted of a felony or misdemeanor to submit to mental or other medical observation or examination; and appoint 1 or more qualified psychiatrists, physicians, or licensed psychologists to make the examination. Requires the department of health to create a list of certified examiners for appointment. -- SB0843 SD1  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to HUS then JUD then FIN
- SB0844 SD1 (SSCR 767) RELATING TO THE DISCLOSURE OF VITAL STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to disclosure of records. Provides that a law enforcement officer who requires a birth certificate or death certificate as evidence in a criminal investigation to submit a request to the department of health and provide identification and a signed statement verifying, under penalty of criminal prosecution for false swearing that the officer is a law enforcement officer of the State or county; is acting in official capacity; and that the birth certificate or death certificate is needed as evidence in a criminal investigation. -- SB0844 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then JUD
- SB0846 SD1 (SSCR 602) RELATING TO POST CONVICTION PROCEEDINGS.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to time limitation. Provides that any complaint filed under habeas corpus law or a petition for post conviction relief filed under the Hawaii rules of penal procedure shall be filed within 15 years. Provides that this does not apply to any motion, petition, or appeal filed pursuant to post conviction DNA testing. Establishes provisions relating to successive petitions. Provides that a claim presented in a 2nd or successive complaint that was not presented in a prior complaint shall be dismissed. Provides exceptions. -- SB0846 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD
- SB0848 RELATING TO METAL.  
Introduced by: Hanabusa C (BR)  
Amends Act 197, session laws of 2007, as amended by Act 16, session laws of 2008, relating to theft of copper by repealing the sunset date. -- SB0848  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to CPC then JUD
- SB0851 SD1 (SSCR 89) RELATING TO CHILD SUPPORT ENFORCEMENT.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to automatic assignment by court or administrative order of future income for payment of child support. Requires that employers who receive a withholding order for child support shall send the amounts withheld to the child support enforcement agency. Allows the child support enforcement agency to disburse support by electronic benefits transfer system or direct deposit. Allows liens to be enforceable by another agency administering the

## SENATE BILLS THAT PASSED THIRD READING

program. Allows electronic copy or facsimile of signature provided by US postal service to constitute valid proof of service. -- SB0851 SD1

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to HUS then JUD then FIN

SB0856

RELATING TO IDENTIFICATION.

Introduced by: Hanabusa C (BR)

Amends provisions relating to expiration date. Requires that the expiration date for a certificate of identification (state identification card), issued on or after July 1, 2009 shall be on the person's birthday 8 years after the date of issuance. -- SB0856

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Single Referral to JUD

SB0862 SD2 (SSCR 665)

RELATING TO HOUSING.

Introduced by: Hanabusa C (BR)

Amends provisions relating to real property; restrictions on transfer; waiver of restrictions. Allows purchaser to refinance provided that if any restriction or transfer remains applicable, that the purchaser obtains the consent of the Hawaii housing finance and development corporation. Requires that the corporation's share of appreciation on real property applies when the sale price of the real property that is developed and initially sold is less than the then current, unencumbered, fair market value of the real property as determined by a real property appraisal obtained prior to the closing of the sale, is a restriction that runs with the land until it is paid in full and released by the corporation, or extinguished, and may be paid at any time after recordation of the sale. Requires that restrictions be automatically extinguished when a mortgage hold or other party becomes the owner of the real property provided that the mortgage is the initial purchase money mortgage, or that the corporation consented to, and agreed to subordinate the restrictions on the mortgage when originated if the mortgage is not the initial purchase money mortgage. Requires a mortgage to notify the corporation 45 days prior to commencing mortgage foreclosure proceedings. Requires that in any sale in which the corporation's share of appreciation in real property shall be a restriction, the terms of the shared appreciation equity program shall be clearly stated and included as an exhibit in any deed, lease, agreement of sale, or any other instrument of conveyance. -- SB0862 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HSG then FIN

SB0863 SD2 (SSCR 684)

RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.

Introduced by: Hanabusa C (BR)

Amends provisions relating to authority to modify and amend development agreements with eligible developers. Requires the Hawaii housing finance and development corporation to have the power and authority to amend, delete, restate, and otherwise modify the terms, conditions, plans, specifications, and all other matters relating directly or indirectly to any housing project that was previously approved by the housing finance and development corporation, including without limitation, the terms covenants, and conditions of any development agreement for a housing project between the housing finance and development corporation and an eligible developer. Establishes that the corporation may establish and collect reasonable fees for administrative expenses incurred by the corporation in processing applications for loans, grants, services, and real estate documents related to the corporation's functions. -- SB0863 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HSG then FIN

SB0868 SD2 (SSCR 745)

RELATING TO ENERGY RESOURCES.

Introduced by: Hanabusa C (BR)

Amends provisions relating to energy resources. Redefines energy resources to mean fuels, whether liquid, solid or gaseous, commercially usable for energy needs, power generation, and fuels manufacture, that may be manufactured, grown, produced or imported into the State or that may be exported there from, including petroleum and petroleum products and gases, and all fossil fuel based gases, coal tar, vegetable ferments, biomass, municipal solid waste, biofuels, hydrogen, agricultural products used as fuels and as feedstock to produce fuels, and all fuel alcohols. Provides that energy resources also includes all electrical energy produced by combustion of any fuel or generated or produced using wind, the sun, geothermal, ocean water, falling water, currents and waves. Requires that the energy resources coordinator develop and maintain a comprehensive and systematic quantitative and qualitative capacity to analyze the status of energy resources, systems, and markets, both in state and those to which Hawaii is directly tied, particularly in relation to the State's economy, and to recommend, develop proposals for and assess the effectiveness of policy and regulatory decisions, and conduct energy planning. -- SB0868 SD2

## SENATE BILLS THAT PASSED THIRD READING

	Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to EEP then CPC then FIN
SB0876 SD2 (SSCR 678)	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Introduced by: Hanabusa C (BR) Amends provisions relating to ordinary disability retirement. Requires that retirement be effective on the 1st day of a month, except for the month of December when retirement on the 1st or last day of the month shall be allowed. -- Amends provisions relating to appeal of decision of medical board by charging it to petition for contested case hearing regarding disability retirement or accidental death benefits; attorney's fees and costs. -- Amends provisions relating to return to service of a retirant. -- SB0876 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to LAB then FIN
SB0877 SD2 (SSCR 718)	RELATING TO THE ONE CALL CENTER. Introduced by: Hanabusa C (BR) Amends Act 141, session laws of 2004, as amended by Act 22, session laws of 2005, relating to the 1 call center, by repealing the sunset date. -- SB0877 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to CPC then FIN
SB0878 SD1 (SSCR 434)	RELATING TO PUBLICATION OF HEARING NOTICES. Introduced by: Hanabusa C (BR) Amends provisions relating to notices under public utilities. Requires that any public hearing held for rate, fare, charge, classification, schedule, rule or practice by any public utility be a noticed public hearing or hearings on the island or islands or county or counties on which the utility provides utility services. -- SB0878 SD1 Current Status:	Feb-24 09 Introduction/Passed First Reading - House Feb-25 09 Multiple Referral to CPC then FIN
SB0880	RELATING TO GAS PIPELINE SYSTEMS. Introduced by: Hanabusa C (BR) Repeals provisions relating to gas pipeline system under public utilities commission law. -- SB0880 Current Status:	Mar-10 09 Introduction/Passed First Reading - House Mar-10 09 Multiple Referral to CPC then FIN
SB0881 SD1 (SSCR 599)	RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS. Introduced by: Hanabusa C (BR) Establishes provisions relating to insolvency of the trust. Requires that if the Hawaii employer union health benefits trust fund becomes insolvent, the trust and the employee organization that established the trust shall assume all liabilities and indemnify the State. -- SB0881 SD1 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to LAB then JUD then FIN
SB0884 SD2 (SSCR 825)	RELATING TO NON-GENERAL FUNDS. Introduced by: Hanabusa C (BR) Amends the provisions relating to the wireless enhanced 911 fund. Requires that any funds that accumulate in the wireless enhanced 911 fund be retained unless determined by the legislature to be in excess. -- Amends provisions in the deposit into deposit beverage container deposit special fund; use of funds. Requires that any funds that accumulate in the deposit beverage container deposit special fund be retained in the fund unless determined by the legislature instead of the auditor to be in excess. Authorizes the director of finance to transfer ____ dollars from the deposit beverage container deposit special fund to the general fund and to transfer ____ dollars from the wireless enhanced 911 fund to the general fund. -- SB0884 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Single Referral to FIN
SB0886 SD1 (SSCR 549)	RELATING TO BUSINESS REGISTRATION. Introduced by: Hanabusa C (BR) Amends provisions relating to corporations and partnerships. Replaces involuntarily dissolved with administratively dissolved corporations. Allows a corporation to give members notices by electronic transmission with consent and consent to be deemed revoke if the corporation is unable to deliver by electronic transmission, the inability to deliver becomes known to the secretary or an assistant secretary of the corporation, to the transfer agent, or other person responsible for giving notice. Requires reinstatement to be allowed only upon the registration of	



## SENATE BILLS THAT PASSED THIRD READING

a new name by the administratively dissolved corporation. Removes foreign corporation from articles of conversion to be deliver to the director. Amends provisions relating to cancellation of registration. Allows the director to commence a proceeding to cancel the registration of a domestic or foreign general partnership if the partnership fails. Allows the director to reinstate a domestic general partnership within 2 years after the administrative cancellation. -- SB0886 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to CPC then JUD

SB0887 SD1 (SSCR 572)

### RELATING TO ESCROW DEPOSITORIES.

Introduced by: Hanabusa C (BR)

Provides that an escrow depository that receives, holds, and delivers the money, other consideration, or instrument affecting title to personal property to disclose in writing all parties involved in the transaction. Requires that the escrow depository to provide notice of security breach to the commissioner of financial institution upon discovery or notification of any security breach. Allows a escrow depository to temporarily close or relocate an office for a period of 180 days, or a longer time period as determined by the commissioner in the event of an emergency or for other good cause and provide a written notice to the commissioner as soon as practicable and notice of the reopening of the office within 5 working day. Requires any trade association with a membership composed of escrow depositories licensed to do business in the State to provide its member escrow depositories with educational material, updated legislation, and any other industry pertinent information or material on a regular basis. Requires the escrow depository to provide customers in the form of a sign posted in a safe, conspicuous location on or in proximity to the primary public entrance of the office that has been or will be temporary closed or relocated. Allows the commissioner to disclose statistical data regarding the number of consumer complaints filed against an escrow depository. Replaces provisions relating to net capital with tangible net capital. Increases tangible net capital for any corporation, partnership, limited liability corporation, limited liability partnership, or other business entity regardless of corporate designation engaging in the escrow depository business. Requires the commission to conduct a criminal history record check. Requires an escrow depository to at all times maintain a bond given to the commissioner in the penal sum of not less than 200,000 dollars and in lieu of the bond, an escrow depository may deposit cash or an unconditional and irrevocable letter of credit. Amends provisions relating to fidelity bonds by adding or fidelity insurance deposit. Prohibits a licensee to make a disbursement on behalf of a specific account escrow unless sufficient collected funds have been received for that escrow. Requires the department of commerce and consumer affairs to conduct criminal history record checks on proposed officers, directors, and escrow officers of the applicant for a license as an escrow depository. -- SB0887 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to CPC/ JUD/ then FIN

SB0891 SD1 (SSCR 561)

### RELATING TO INSURANCE.

Introduced by: Hanabusa C (BR)

Establishes provisions relating to unfair or deceptive acts or practices in the accident and health or sickness insurance business. Prohibits health care insurers, mutual benefit societies, dental service corporations and health maintenance organizations (HMOs) from canceling or refusing to renew an enrollment or subscription because of the enrollees or subscriber health status; rescinding or modifying an authorization for a specific type of treatment by a provider after the provider renders, or begins rendering, the health care service in good faith; changing the premium rates, copayments, coinsurances or deductibles of a contract after receipt of payment premium for the 1st month of coverage; engaging in post claims underwriting; and establishing an eligible charge for a nonparticipating provider service that is different from the eligible charge paid for the same service rendered by a participating provider. Requires the insurance commissioner to notify the health care insurer of each complaint filed by certified mail. Requires the health care insurer to issue a written response with reasonable promptness, in no case more than 15 working days. -- SB0891 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC/ JUD/

SB0892 SD1 (SSCR 579)

### RELATING TO INSURANCE.

Introduced by: Hanabusa C (BR)

Amends provisions relating to the department of commerce and consumer affairs. Exempts the drivers education fund underwriters fee; motorcycle and motor scooter operators education fund from the deposit into the compliance resolution fund. -- Amends provisions relating to investments. Limits investments by an insurer in non dividend paying stocks and in common trust funds, mutual funds, and exchange traded funds to 25 per cent of its asset or 100 per cent of its surplus. -- Amends provisions relating to domestic company credit for retaliatory taxes paid to

## SENATE BILLS THAT PASSED THIRD READING

other states, by adding filing deadlines. -- Repeals workers' compensation claims adjusters with claims adjusters. Adds crop insurance claims. Requires ethics training. -- Amends provisions relating to assigned claims under motor vehicle insurance. Allows motor vehicle insurance benefits through the joint underwriting plan whenever no insurance benefits under motor vehicle insurance policies are applicable to the accidental harm. -- Amends provisions relating to rate filings under rate regulation law. Requires an insurer to submit an electronic or printed version of the filing and accompanied by a 50 dollar fee payable to the insurance commissioner to be deposited in the commissioner's education and training fund. -- SB0892 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to CPC/ JUD/

SB0896 SD1 (SSCR 220)

RELATING TO CIVIL SERVICE LAW.

Introduced by: Hanabusa C (BR)

Amends provisions in the civil service and exemptions. Exempts positions in the Hawaii national guard adult education program from civil service requirements. -- SB0896 SD1

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to EBM then LAB then FIN

SB0898 SD2 (SSCR 626)

RELATING TO CIVIL DEFENSE.

Introduced by: Hanabusa C (BR)

Amends provisions relating to immunity from liability of private shelter. Provides that the following shall not be considered compensation: any consideration paid by or on behalf of any guest or person for the transient accommodation lodging, any consideration paid for any patient, resident, or ward present or residing in any hospital, community based care home, home based care home, home health agency, or health agency of any type licensed by the department of health or the department of human services and used as a private shelter, or a private shelter used for any other duty or standard of care owed to any patient, resident, or ward; and any compensation or consideration paid by or on behalf of any minor or student of any age in any day care, preschool, elementary school, middle school, or any other educational facility used as a private shelter. -- SB0898 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then JUD

SB0905 SD2 (SSCR 688)

RELATING TO THE OFFICE OF COMMUNITY SERVICES.

Introduced by: Hanabusa C (BR)

Establishes the office of community services law. Establishes the office within the department of human services which shall include the progressive neighborhoods program; Hawaii office of economic opportunity; refugee resettlement program; and State immigrant services center. Repeals the community services law and transfers all rights, powers, function, and duties of the department of labor and industrial relations relating to the office of community services to the department of human services. -- SB0905 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then HUS then FIN

SB0906

RELATING TO PUBLIC MEETINGS.

Introduced by: Hanabusa C (BR)

Amends provisions relating to a meeting by videoconference by changing it to meeting by interactive conference technology; notice; quorum. Allows a board to hold a meeting by interactive conference technology provided that there is audio, or audio and visual interaction between all members. -- SB0906

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to JUD then FIN

SB0910 SD1 (SSCR 824)

RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES.

Introduced by: Hanabusa C (BR)

Establishes provisions relating to homes program office. Requires the department of human services to administer and operate homeless facilities and any other program for the homeless. Exempts any donor who gives money, land and improvements, or who leases land and improvement from liability or for any civil damages resulting from the donations, except as result from the donor's gross negligence or wonton acts or omissions without full disclosure. Establishes provisions for emergency or transitional shelter volunteers; shelter stipend payments, and temporary emergency shelters. Allows the department to contract with a qualified provider agency to administer, operate and manage the homeless facilities or any other program for the homeless. Repeals provisions relating to homeless assistance under the Hawaii public housing authority law. Requires the department to transfer 10 positions from the Hawaii public housing

## SENATE BILLS THAT PASSED THIRD READING

authority to the benefit, employment, and support services division. -- SB0910 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HSG then JUD then FIN

- SB0912 SD2 (SSCR 771) RELATING TO PERMANENCY HEARINGS.  
Introduced by: Hanabusa C (BR)  
Establishes provisions for permanency hearings. Requires that a permanency hearing be held within 12 months of the child's placement into out of home care or within 30 days of a judicial determination that the child is an abandoned infant or that aggravated circumstances are present and reasonable efforts to reunify a child and family are not required. Allows that a permanency hearing may be held with a review hearing. Requires that the department of human services review the child's status at least every 12 months. Establishes court responsibilities at the permanency hearing. -- SB0912 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS then JUD then FIN
- SB0914 SD2 (SSCR 679) RELATING TO PUBLIC ASSISTANCE.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to department of human services law. Repeals the definition of exempt household. Adds that the assistance allowance provided to be based on a percentage of the standard need for other work eligible households and non work eligible households. Prohibits work eligible household which includes an adult who has received 60 cumulative months of temporary assistance to needy families (TANF) with minor dependents, to be eligible for an assistance allowance, unless authorized by federal regulations. -- SB0914 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS then FIN
- SB0917 SD2 (SSCR 751) RELATING TO THIRD PARTY LIABILITY FOR MEDICAID.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to insurer requirement under Medicaid related mandates. Requires health insurers upon request from the State, under the Social Security Act to provide any information to determine an individual or the individual's spouses or their dependents covered by a health insurer, the nature of the coverage; accept the State's rights of recovery payments of service; respond to any inquire by the State regarding a claim for payment; agree not to deny a claim submitted by the State; a claim submitted by the state within the 3 year period beginning on the date on item or services was rendered; any action by the State to enforce its rights to claim within 6 years of the State's submission of a claim. Amends provisions relating to insurers prohibited from taking Medicaid status into account. Includes a manage care organization, a pharmacy benefit manager, or other party that is, by statute, contract, or agreement, legally responsible for payment of a claim for a health care item or service. Amends provisions relating to State's right to 3rd party payments by adding 1st party payments. Provides that 1st party payments, includes health insurers, self insured plans, group plans, service benefit plans, managed care organizations, health maintenance organizations (HMOs), pharmacy benefit managers, or other parties that are, by statute, contract, or agreement, legally responsible for payment of a claim for a health care item or service. -- SB0917 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT/ HUS/ then CPC/ JUD/ then FIN
- SB0921 SD2 (SSCR 798) RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS.  
Introduced by: Hanabusa C (BR)  
Repeals provisions relating to statewide council on independent living. -- SB0921 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS then FIN
- SB0930 RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to volunteer medical assistance personnel. Provides volunteer medical assistance personnel licensed or certified in this State, or employed by a health care facility, while providing volunteer assistance service on behalf of the State or county, including participation during periods of assistance services and assistance training to be deemed state or county employees and have the powers, duties, rights and privileges in the performance of their duties as prescribed by or under the authority of the governor or a county. Provides except in cases of wilful or criminal misconduct, gross negligence, or reckless misconduct, any volunteer medical assistance personnel providing volunteer assistance services shall not be liable for the death of or injury to persons, or for damages to property, as a result of any act or omission in the

## SENATE BILLS THAT PASSED THIRD READING

course of rendering volunteer assistance services. -- SB0930  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to HLT then JUD then FIN

- SB0931 SD1 (SSCR 300) RELATING TO EPIDEMIOLOGIC INVESTIGATIONS.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to epidemiologic investigations. Provides when in the opinion of the director of health or the directors authorized representative, reasonable cause exists for the investigation of a disease or series of injuries deemed to threaten the public health or safety may demand entry on to any premises, public or private for the purpose of conducting an administrative investigation to secure or collect samples or specimens necessary to conduct the epidemiologic investigation successfully. -- SB0931 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then JUD then FIN
- SB0932 SD2 (SSCR 631) RELATING TO INFECTIOUS DISEASE TESTING.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to informed consent for testing or disclosure. Requires the health care provider to subject a person to a test for the presence of human immunodeficiency virus (HIV) infection only after affording the patient the opportunity to decline the test to provide all positive and indeterminate HIV (human immunodeficiency, AIDS) test results and offer post test counseling to those individuals with positive and indeterminate HIV test results. Allows an individual the opportunity to receive human immunodeficiency virus (HIV) pre test counseling by the party ordering or requesting that the test be performed; provided that person tested to be provided with the test results by the blood bank, plasma center, agency, institution, or individual subjecting the person to the test. -- SB0932 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then JUD
- SB0933 SD2 (SSCR 740) RELATING TO TEMPORARY LICENSURE OF DENTISTS.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to temporary license under dentistry law. Allows the board of dental examiners to issue a temporary license without examination to any person while in the employment of or under contract with the department of health to conduct dental education and training. -- SB0933 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC
- SB0936 RELATING TO DEPARTMENT OF HEALTH CERTIFICATES.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to certificates under county licenses law. Repeals that no person to operate a lodging or tenement house, group home, group residence, group living arrangement, hotel, or boardinghouse, until the person secures from the department of health a certificate setting forth that an agent of the department has examined the building and are in good sanitary condition. -- SB0936  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to HLT then CPC
- SB0937 RELATING TO MENTAL HEALTH.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to committed person; application for conditional release or discharge; by the director of health; by the person. Requires that the court complete the hearing process and render a decision within 60 days of the application by either the director or health or the person committed. Authorizes the court to extend the 60 day time line for good cause upon the request of the director of health or the person. -- SB0937  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to HLT then JUD
- SB0940 SD1 (SSCR 575) RELATING TO INSURANCE.  
Introduced by: Hanabusa C (BR)  
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) that offers coverage for pre hospital ambulance treatment and transport services to provide for direct payment to the State for an insurer if the parties have entered into a contract providing for direct payment. -- SB0940 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC

## SENATE BILLS THAT PASSED THIRD READING

- SB0942 SD1 (SSCR 495)      RELATING TO UNDERGROUND STORAGE TANKS.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to deliver, deposit, and acceptance prohibition under underground storage tanks law. Prohibits a person to deliver to, deposit into, or accept a regulated substance into an underground storage tank at a facility that has been identified by the department of health to be ineligible for such delivery, deposit, or acceptance. -- SB0942 SD1  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to EEP then JUD
- SB0947 SD1 (SSCR 154)      RELATING TO UNEMPLOYMENT CONTRIBUTION RATES.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to Hawaii employment security law. Replaces calendar quarter with calendar year regarding assignment of rates and transfers of experience for a organization, trade, or business. -- SB0947 SD1  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to LAB then FIN
- SB0967 SD2 (SSCR 633)      RELATING TO CONTROLLED SUBSTANCES.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to uniform controlled substances act. Amends schedule II to include dihydroetorphine; oripavine; and tincher of opium to the controlled substances list. Amends stimulants by adding lisdexamfetamine, its salts, isomers, and salts of its isomers to the controlled substances list. Amends schedule III any anabolic steroid by adding 3[beta], 17-dihydroxy-5a-androstane; 3[alpha], 17[beta]-dihydroxy-5a-androstane; 5[alpha]-androst-3, 17-dione; 1-androstenediol (3[beta], 17[beta]-dihydroxy-5[alpha]-androst-1-ene); 1-androstenediol (3[alpha], 17[beta]-dihydroxy-5[alpha]-androst-1-ene); 4-androstenediol (3[beta], 17[beta]-dihydroxy-androst-4-ene); 5-androstenediol (3[beta], 17[beta]-dihydroxy-androst-5-ene); 1-androstenedione ([5[alpha]]-androst-1-en-3, 17-dione); 4-androstenedione (androst-4-en-3, 17-dione); 5-androstenedione (androst-5-en-3, 17-dione); Bolasterone (7[alpha], 17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one); Calusterone (7[beta], 17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one); [Delta]1-dihydrotestosterone (a.k.a. '1-testosterone') (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one); Furazabol (17[alpha]-methyl-17[beta]-hydroxyandrostano[2,3-c]-furan); 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one; 4-hydroxytestosterone (4,17[beta]-dihydroxy-androst-4-en-3-one); 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxy-estr-4-en-3-one); Mesterolone (1[alpha]-methyl-17[beta]-hydroxy-[5[alpha]]-androst-3-one); Methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one); Methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene); Methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one); 17[alpha]-methyl-3[beta], 17[beta]-dihydroxy-5a-androstane; 17[alpha]-methyl-3[beta], 17[beta]-dihydroxyandrost-4-ene; 17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one; 17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one; Methyldienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one); Methyltrienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4, 9-11-trien-3-one); 17[alpha]-methyl-[Delta]1-dihydrotestosterone (17b[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one) (a.k.a. '17-[alpha]-methyl-1-testosterone'); 19-nor-4-androstenediol (3[beta], 17[beta]-dihydroxyestr-4-ene); 19-nor-4-androstenediol (3[alpha], 17[beta]-dihydroxyestr-4-ene); 19-nor-5-androstenediol (3[beta], 17[beta]-dihydroxyestr-5-ene); 19-nor-5-androstenediol (3[alpha], 17[beta]-dihydroxyestr-5-ene); 19-nor-4-androstenedione (estr-4-en-3, 17-dione); 19-nor-5-androstenedione (estr-5-en-3, 17-dione); Norbolethone (13[beta], 17[alpha]-diethyl-17[beta]-hydroxygon-4-en-3-one); Norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-3-one); Normethandrolone (17[alpha]-methyl-17[beta]-hydroxyestr-4-en-3-one); Stenbolone (17[beta]-hydroxy-2-methyl-[5[alpha]]-androst-1-en-3-one); and Tetrahydrogestrinone (13[beta], 17[alpha]-diethyl-17[beta]-hydroxygon-4,9,11-trien-3-one). Allows the department to consider surrender of the applicant's federal registration to manufacture, distribute, prescribe, or dispense controlled substances as authorized by federal law. Allows pharmacies electronically sharing a real time online database to transfer up to the maximum refills permitted by law and the prescriber's authorization and reduce to writing the dates and location of previous refills; and the pharmacy's name, address, and drug enforcement administration registration number, along with the prescription number from which the prescription was originally filled. Requires a practitioner or pharmacist to document in a log book the full name, identification number, identification type, and signature of the individual obtaining the controlled substance. -- SB0967 SD2

## SENATE BILLS THAT PASSED THIRD READING

	Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to PBS then CPC/ JUD/ then FIN
SB0968 SD1 (SSCR 592)	RELATING TO ESCAPE. Introduced by: Hanabusa C (BR) Amends provisions relating to escape in the 2nd degree. Includes the person who knowingly fails to appear in person at a correctional facility or detention center for the service of a term of custody or confinement ordered by the court. -- SB0968 SD1 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Single Referral to JUD
SB0969 SD2 (SSCR 624)	RELATING TO RESTRICTED ACCESS TO CORRECTIONAL FACILITIES. Introduced by: Hanabusa C (BR) Amends provisions relating to restricted access to correctional facilities. Allow the state correctional or detention facility to search for weapons or contraband with signs posted as a condition for entry of any person or vehicle, provided that prior to searching the person or the person's vehicle the correctional staff shall give notice and an opportunity to decline a conditional search prior to searching a person or the person's vehicle and have probable cause to believe that the person has contraband on the person prior to requiring a strip search of that person. -- SB0969 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to PBS then JUD
SB0970 SD1 (SSCR 146)	RELATING TO COMMITTED PERSONS' ACCOUNTS. Introduced by: Hanabusa C (BR) Amends provisions relating to custody of moneys; accounts for committed person, etc. Requires the department of public safety to deposit into 1 or more accounts with 1 or more financial institutions and require the department maintain accounts for each committed person and to allow committed persons the use of their funds for approved expenses and purchases during incarceration. Prohibits interest to be paid to a committed person on any account maintained by the department. Requires the department to provide quarterly accounting statements to all committed persons held in custody for over 1 quarter of the year and conduct annual audits. -- SB0970 SD1 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to PBS then FIN
SB0971 SD2 (SSCR 835)	RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE. Introduced by: Hanabusa C (BR) Amends income tax provisions to conform the Hawaii income tax law to the Federal Internal Revenue Code. -- SB0971 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Single Referral to FIN
SB0972 SD2 (SSCR 697)	RELATING TO TAX ADMINISTRATION. Introduced by: Hanabusa C (BR) Establishes provisions relating to coordination policies concerning compliance with general excise tax payments. Requires the department of taxation to coordinate with federal agencies to require a general excise tax clearance certificate for all construction projects in Hawaii. Allows the stoppage of the construction project for nonpayment of income withholding, general excise taxes, or employment taxes to the state. Requires the department to coordinate with the department of commerce and consumer affairs to requires general excise tax clearance certificate prior to licensure of professions. Requires the department to utilize its computer database to analyze taxpayer information. Requires the department to refer delinquent taxpayers to a private collection agency. -- SB0972 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Single Referral to FIN
SB0979 SD2 (SSCR 774)	RELATING TO COMMERCIAL DRIVERS. Introduced by: Hanabusa C (BR) Amends provisions relating to operating a vehicle under the influence of an intoxicant. Provides that a person committing the offense shall have a restriction on the license that allows the person to drive for limited work related purposes, provided that the restricted license is for mopeds, motorcycles and motor scooters, passenger cars, buses, trucks, and vans less than 15,000 pounds. -- SB0979 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House

## SENATE BILLS THAT PASSED THIRD READING

Mar-12 09 Multiple Referral to TRN then JUD

- SB0995 SD2 (SSCR 654) RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.  
Introduced by: Hanabusa C (BR)  
Conveys Kakaako Makai to the office of Hawaiian affairs. Amends provisions relating to the definition of public lands by adding lands conveyed to the office of Hawaii affairs pursuant to Act \_\_\_\_\_, session laws of 2009. Repeals provisions relating to interim revenue. -- SB0995 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HAW then WLO/ JUD/ then FIN
- SB1005 SD2 (SSCR 770) RELATING TO PUBLICITY RIGHTS.  
Introduced by: Hanabusa C (BR)  
Establishes the publicity rights law. Provides that a person has a property right in the use of his or her name, voice, signature, photograph, or likeness. -- SB1005 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM/ TCI/ then JUD
- SB1008 SD1 (SSCR 576) RELATING TO WATER QUALITY STANDARDS.  
Introduced by: Hanabusa C (BR)  
Adopts the Clean Water Act and the 2006 US Environmental Protection Agency national recommended water quality criteria by the state for toxic pollutants. Further adopts provisions for coastal recreation waters. -- SB1008 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ WLO/ then FIN
- SB1040 SD2 (SSCR 502) RELATING TO SMOKING.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to prohibition during community events. Prohibits smoking during events on public beaches, in public parks and recreational areas or in areas designated as recreational by the state or county agency organizing or funding the community event; or in areas within 20 feet of the nonsmoking area. -- SB1040 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then TCI/ WLO/ then JUD
- SB1045 SD2 (SSCR 752) RELATING TO ADVANCED PRACTICE REGISTERED NURSES.  
Introduced by: Baker R  
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for care provided by participating advanced practice registered nurses within the scope of their licenses to the extent that the policy provides benefits for identical services rendered by another health care provider. -- Establishes provisions relating to global signature authority. Authorizes advanced practice registered nurses to sign, certify, or endorse all documents relating to health care within their scope of practice provided for their patients, including but not limited to workers' compensation verification documents, verification and evaluation forms from the department of human services and the department of education, verification and authorization forms from the department of health, and physical examination forms. Allows the board of nursing to grant prescriptive authority to qualified or currently recognized, or both advanced practice registered nurses and are authorized to diagnose, prescribe, and institute therapy or referrals of patients, within their practice specialty, to health care agencies, health care providers, and community resources. -- SB1045 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC then FIN
- SB1046 SD1 (SSCR 797) RELATING TO HEALTH PROFESSIONAL EDUCATION.  
Introduced by: Baker R, Sakamoto N, Ige D, Green J, Tokuda J, Hooser G, Tsutsui S, Chun Oakland S  
Appropriation to the university of Hawaii for the Hawaii Quentin Burdick rural health interdisciplinary training program. (\$\$) -- SB1046 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HED then HLT then FIN
- SB1053 SD2 (SSCR 796) RELATING TO ENVIRONMENTAL REVIEW.  
Introduced by: English J, Tokuda J  
Amends provisions relating to environmental impact statement law. Allows the preparation of the environmental assessment made by the agency or the agency to designate the person who is the proposed user of the state or county facility or improvement, to prepare and fund the environmental assessment on behalf of the agency. -- SB1053 SD2

## SENATE BILLS THAT PASSED THIRD READING

	Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to EEP then FIN
SB1054 SD2 (SSCR 628)	RELATING TO HIGHWAY SAFETY. Introduced by: English J, Espero W Amends provisions relating to provisional license for persons under the age of 18. Prohibits a provisional licensee or a holder of a temporary instruction permit aged 15 years and 6 months but under 18 years to operate a motor vehicle while engaged in various tasks including using a wireless telephone (cell phone, mobile phone, cellular phone), even if equipped with a hands free device, or any other electronic communications device, consuming food or beverages, conducting personal grooming or reaching for any object located below eye level. -- SB1054 SD2 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to TRN then JUD
SB1055	RELATING TO HARBORS. Introduced by: English J Amends provisions relating to rules under harbors law. Allows the director of transportation to adopt rules, amend and repeal rules as necessary for the proper regulation and control of all shipping, traffic, and other related activities; the entry, departure, mooring, and berthing of vessels; in the commercial harbors and activities in the commercial harbor. Requires the director to establish safety measures and security requirements in or about the commercial harbors, land, and facilities belonging to or controlled by the State. -- SB1055 Current Status: Mar-06 09 Introduction/Passed First Reading - House Mar-10 09 Multiple Referral to TRN then WLO
SB1056 SD2 (SSCR 629)	RELATING TO COMMERCIAL DRIVERS. Introduced by: English J Amends provisions relating to commercial driver's license. Increases the fine limits on employers. Allows the examiner of drivers to cancel or disqualify any commercial driver's license with probable cause without a hearing. Establishes fines on drivers. -- SB1056 SD2 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to TRN then JUD
SB1057 SD2 (SSCR 795)	RELATING TO DETENTION AND RETENTION PONDS. Introduced by: Espero W Establishes a temporary water safety task force within the department of health to collect data and determine the advisability of limiting or defining liability to landowners from persons injured on their land, where the land is made available for the retention of flood waters and runoff; determine minimum safety requirements for the development and maintenance of retention ponds; determine the appropriate warning signs for retention ponds; determine the need for a periodic retention pond inspection program; and consider any other relevant matters pertaining to the safety of retention ponds. Report to the legislature. Task force to cease to exist on June 30, 2010 (sunset). -- SB1057 SD2 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to HLT then WLO then FIN
SB1058 SD2 (SSCR 634)	RELATING TO CONTROLLED SUBSTANCES. Introduced by: Espero W, English J, Hooser G Requires the attorney general to coordinate a review of the impact that diversion of minor drug possession offenders into drug treatment would have on the criminal justice system, drug treatment program resources, and public safety. Report to the legislature. -- SB1058 SD2 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to JUD/ PBS/ then FIN
SB1059 SD2 (SSCR 635)	RELATING TO FIREWORKS. Introduced by: Espero W, Kidani M, Green J Establishes provisions relating to illegal fireworks task force; established. Establishes an illegal fireworks task force in the department of transportation to stop the importation of illegal fireworks and explosives. Report to the legislature. -- SB1059 SD2 Current Status: Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to PBS/ TRN/ then JUD
SB1060 SD1 (SSCR 661)	RELATING TO FIREWORKS. Introduced by: Espero W, Green J Amends provisions relating to permits; fee. Increases the fees for consumer purchase, use, and for importers. -- SB1060 SD1



## SENATE BILLS THAT PASSED THIRD READING

	Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to PBS then FIN
SB1065 SD2 (SSCR 750)	RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY. Introduced by: Gabbard M Establishes provisions relating to renewable energy sales; exemption. Exempts sales or provision of electricity generated using renewable energy in facilities located at the natural energy laboratory of Hawaii authority's research and technology park from regulation by the public utilities commission, provided that all sales or provisions of electricity are made directly to a user located adjacent to the research and technology park. -- SB1065 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to EEP/ EBM/ then CPC
SB1066 SD2 (SSCR 794)	RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY. Introduced by: Gabbard M, Green J Amends provisions relating to establishment of the natural energy laboratory of Hawaii authority; purpose. Increases the number of members of the board of directors from 11 to 13, adding 2 tenant members. -- SB1066 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to EEP then EBM
SB1069 SD1 (SSCR 472)	RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY. Introduced by: Galuteria B Establishes provisions relating to Kakaako makai; plan. Requires the Hawaii community development authority to collaborate with and consider recommendations of the Kakaako makai community planning council in developing, accepting, or implementing plans for the development of Kakaako makai. -- SB1069 SD1 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Single Referral to WLO
SB1073 SD1 (SSCR 587)	RELATING TO CORRECTIONAL FACILITIES. Introduced by: Green J Amends provisions relating to exemptions under smoking law. Repeals the State correctional facilities. -- SB1073 SD1 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to HLT then PBS
SB1077 SD1 (SSCR 583)	RELATING TO HEALTH INSURANCE. Introduced by: Green J Establishes within the department of health the temporary preventative health care task force to develop a plan to encourage health insurance providers to offer preventative health care plans to its members, enrollees, or new applicants that cover preventative health care services. Report to the legislature. Act repealed on June 30, 2011 (sunset). -- SB1077 SD1 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to HLT then CPC then FIN
SB1083 SD1 (SSCR 473)	RELATING TO BURIAL SITES. Introduced by: Hee C Amends provisions relating to prehistoric and historic burial sites. Requires the department of land and natural resources to consult with native Hawaiian organizations such as Alu Like, Inc., the Association of Hawaiian Civic Clubs, the Council for Native Hawaiian Advancement, the Kanaka Council, and representatives of the Hawaiian Benevolent Societies and the Hawaiian Royal Orders on whether a burial site should be preserved in place or relocated and to develop a list of candidates for the burial councils. -- SB1083 SD1 Current Status:	Mar-12 09 Introduction/Passed First Reading - House Mar-12 09 Multiple Referral to WLO then HAW then FIN
SB1085 SD2 (SSCR 787)	RELATING TO CEDED LANDS. Introduced by: Hee C, Galuteria B, Kidani M, English J Establishes provisions relating to limitation on sale and transfers. Prohibits the State from disposing or any lands in the public land trust, whether by lease with option to purchase, sale or exchange until the claims of the native Hawaiian people have been resolved; or the State no longer supports reconciliation between the State and the native Hawaiian people or until December 31, 2014. Establishes a process for the state to dispose of ceded lands upon the occurrence of one of the aforementioned events. -- SB1085 SD2 Current Status:	Mar-12 09 Introduction/Passed First Reading - House

## SENATE BILLS THAT PASSED THIRD READING

Mar-12 09 Multiple Referral to HAW then WLO/ JUD/ then FIN

- SB1086 SD1 (SSCR 514)      RELATING TO PET ANIMALS.  
Introduced by: Hee C  
Amends provisions relating to temporary restraining order. Allows the exclusive care of a pet animal to be granted as part of an ex parte temporary restraining order. Prohibits the respondent from visiting, taking, concealing, threatening, physically abusing or otherwise disposing of a pet animal. -- SB1086 SD1  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Single Referral to JUD
- SB1088 SD2 (SSCR 775)      RELATING TO PUBLIC ACCESS.  
Introduced by: Hooser G, English J, Tsutsui S, Chun Oakland S  
Establishes provisions relating to suits by individuals. Allows a private right of action for injunctive relief. Permits recovery of the person's costs and attorneys' fees. Allows the attorney general to intervene on behalf of the State, if requested. -- SB1088 SD2  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to WLO then JUD
- SB1094 SD2 (SSCR 696)      RELATING TO HEALTH.  
Introduced by: Ige D, Chun Oakland S, Ihara L, Green J, Baker R  
Requires the department of health to develop and implement the patient centered healthcare homes pilot project to provide primary health care funding to federally qualified health centers. Reports to the legislature. Appropriation. (\$\$) -- SB1094 SD2  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to HLT/ HUS/ then FIN
- SB1096 SD2 (SSCR 655)      RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT.  
Introduced by: Ige D, Fukunaga C, Green J, Baker R  
Amends provisions relating to fostering inspiration and relevance through science and technology pre academy program; established by adding k - 12 robotics with respect to its mission. -- Appropriation to the university of Hawaii for the program, including 9 permanent full time equivalent (9.00 FTE) positions. -- Appropriation to the economic development alliance of Hawaii, inc. into and out of the Hawaii 3Ts school technology laboratories fund to maintain the project EAST (environmental and spacial technology) program in existing schools and to expand the program to schools statewide. Requires matching funds. -- Appropriation to the research corporation of the university of Hawaii through a contract with the Hawaii Educational Networking Consortium for k-12 creative media programs. (\$\$) -- SB1096 SD2  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to HED/ EDN/ then FIN
- SB1103 SD1 (SSCR 197)      RELATING TO EFFECTIVE LEGISLATION.  
Introduced by: Kim D, Espero W, Hooser G  
Establishes provisions relating to commission on effective legislation. Establishes the commission on effective legislation within the office of the ombudsman. Requires the commission to review all existing laws that are brought to its attention by legislators, state and county agencies, and members of the public. Report to legislature. -- SB1103 SD1  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to LMG then JUD then FIN
- SB1105 SD2 (SSCR 840)      RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES.  
Introduced by: Kim D  
Establishes provisions relating to hearings on reports. Requires that reports to the legislature of studies and audits by executive departments and agencies, the auditor, the judiciary, the legislative reference bureau or the office of Hawaiian affairs as requested by a concurrent resolution or required by law, including budget measures, to be submitted to the clerk of each house, to the president of the senate and speaker of the house of representatives, and to the chair of the applicable subject matter committee of each chamber and the legislative reference bureau library. Requires that the respective chairs of the committees to whom a report is submitted to conduct a public hearing or informational briefing on the report during the legislative session or during the legislative interim in which the report is submitted within 1 year of receipt. Exempts annual report to legislature. -- SB1105 SD2  
Current Status:      Mar-12 09 Introduction/Passed First Reading - House  
                         Mar-12 09 Multiple Referral to LMG then FIN
- SB1106 SD2 (SSCR 839)      RELATING TO TAXATION.

## SENATE BILLS THAT PASSED THIRD READING

- Introduced by: Kokubun R, Green J, Hanabusa C  
Amends provisions relating to withholdings of income tax on the disposition of real property by nonresident persons. Requires every nonresident that is a transferor to submit a certified Hawaii real property tax act payment verification form issued by the department of taxation verifying that the transferee properly made a return of the amount withheld to the department, to the bureau of conveyances, as a precondition of recording a transfer of title of real property. -- SB1106 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN
- SB1107 SD2 (SSCR 716) RELATING TO CONDOMINIUMS.  
Introduced by: Kokubun R  
Amends provisions relating to condominiums. Repeals the condominium management education fund and transfers funds to the condominium education trust fund. Requires that publications produced by the real estate commission be made available to individual condominium owners in both printed and electronic formats. -- SB1107 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to CPC then FIN
- SB1108 RELATING TO NATIVE HAWAIIANS.  
Introduced by: Kokubun R  
Amends Act 212, session laws of 2007, relating to the 'aha kiole (aha kiole) advisory committee. Extends the sunset date to June 30, 2011. -- SB1108  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to HAW then WLO then FIN
- SB1111 SD1 (SSCR 598) RELATING TO TAXATION.  
Introduced by: Nishihara C, Tsutsui S, Hooser G, Chun Oakland S  
Amends provisions relating to the transient accommodations tax. Provides that the tax beginning July 1, 2009, shall be \_\_\_\_ per cent and provides that excess in revenues be deposited into the general fund. -- SB1111 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN
- SB1113 SD1 (SSCR 563) RELATING TO GEOGRAPHIC LIMITATIONS ON TIME SHARES.  
Introduced by: Nishihara C  
Amends provisions relating to geographic limitations. Amends the exemption from the prohibition of time share units, time share plans, and transient accommodations rentals for a county with a population over 500,000, in an existing hotel which is a valid nonconforming use under county ordinance by repealing the provisions that requires the property to have at least 60 units and at least 40 per cent of the units, upon completion of sales of the time share intervals in the project, be made available for sale as residential apartments or rented as residential apartments. -- SB1113 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TCI then WLO
- SB1118 SD2 (SSCR 693) RELATING TO LOW-INCOME HOUSING.  
Introduced by: Sakamoto N, Chun Oakland S  
Amends provisions relating to low income housing income tax credit. Changes the credit to be equal to the amount of the federal low income tax credit that the taxpayer claimed or could have claimed pursuant to section 42 of the Internal Revenue Code. Provides that the taxpayer may claim the tax credit for the 1st 5 years of the credit period for each qualified low income building that is located in Hawaii. -- SB1118 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HSG then FIN
- SB1120 RELATING TO CHARTER SCHOOLS.  
Introduced by: Sakamoto N  
Amends provisions relating to civil service status; employee rights under the public charter school law. Includes employees at Waialae and Lanikai elementary schools. -- SB1120  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to EDN/ LAB/ then FIN
- SB1122 SD2 (SSCR 793) RELATING TO PUBLIC EMPLOYMENT.  
Introduced by: Takamine D, Green J  
Amends provisions relating to the historic preservation program, executive and administrative departments law, department of the attorney general, civil service law, state water code law,

## SENATE BILLS THAT PASSED THIRD READING

Hawaii workforce development council, Hawaii community development authority, integrated solid waste management law, long term care law, professional employment relations act, occupational and career information law, Hawaii employment security law, code of financial institutions law, cable television system law, and counsel and other services for indigent criminal defendants by requiring hiring in accordance with civil service laws. -- SB1122 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then FIN

SB1125 SD2 (SSCR 778)

RELATING TO PROCUREMENT.

Introduced by: Takamine D, Hooser G

Establishes the responsible construction contractor law. Requires a contractor who submits a bid for a public works contract and procurements for construction to show proof of compliance that all workers of the contractor and subcontractor are classified as employees, hiring practices comply with all applicable labor laws and prevailing wage requirements, Hawaii residents compose not less than 80 per cent of the workforce on the project, provides employees with a fair and neutral process for resolving work related issues, and is appropriately licensed. Establishes provisions relating to public works construction; apprenticeship agreement. Requires that a governmental body that enters into a public works contract having an estimated value of more than 250,000 dollars shall decrease the bid amount by 5 per cent if the bidder is a party to an apprenticeship agreement registered with the department of labor and industrial relations. Requires that if awarded the contract, the bidder shall continue to certify monthly in writing that the bidder is a party to a registered apprenticeship agreement for the entire duration of the contract. Establishes penalties. -- SB1125 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then EBM then FIN

SB1126 SD2 (SSCR 694)

RELATING TO JOB-SHARING FOR PUBLIC EMPLOYEES.

Introduced by: Takamine D, Green J, English J, Hooser G, Baker R, Sakamoto N

Establishes the job sharing law. Authorizes the establishment and administering of a voluntary program for permanent, full time employees. -- SB1126 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then FIN

SB1128

RELATING TO METAL.

Introduced by: Taniguchi B

Amends Act 53, session laws of 2008, relating to theft of beer kegs by repealing the sunset date. -- SB1128

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to CPC then JUD

SB1129 SD1 (SSCR 562)

RELATING TO ATHLETIC TRAINERS.

Introduced by: Taniguchi B

Establishes the athletic trainers law. Prohibits a person to represent, advertise, or announce oneself, either publicly or privately, as an athletic trainer, nor use in connection with the person's name or place of business the words registered athletic trainer, or any other words, letters abbreviation, or insignia indicating or implying that the person is an athletic trainer unless the person has registered with the department of commerce and consumer affairs. Require the department to maintain a current list of names and business addresses of athletic trainers and the registrant's copy of its certification from the National Athletic Trainers Association Board of Certification to be a public record. Requires physician to provide supervision to an athletic trainer for athletic training services plans or protocols. -- SB1129 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HED/ EDN/ then CPC then FIN

SB1130 SD2 (SSCR 765)

RELATING TO THE BUREAU OF CONVEYANCES.

Introduced by: Taniguchi B

Amends provisions relating to pending judgments; recording of, notice; judgment, orders, decrees; lien when. Allows the party seeking registration of a judgment to redact the 1st 5 digits of any social security number by blocking out the numbers on the copy of the judgment to be filed or recorded. Allows the party seeking to record or register a judgment, order or decree to redact the 1st 5 digits of any social security number by blocking out the numbers on the copy of the judgment, order or decree to be recorded or registered. -- SB1130 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then JUD

SB1137 SD2 (SSCR 723)

RELATING TO HEALTH.

## SENATE BILLS THAT PASSED THIRD READING

- Introduced by: Hanabusa C (BR)  
Amends provisions relating to Hawaii health systems corporation law. Requires the corporation to develop procedures for obtaining verifiable information regarding the criminal history of persons who are employed or seeking employment, or are current or prospective contractors, providers, or volunteers in any of the corporation's health facilities. -- SB1137 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then JUD then FIN
- SB1140 SD2 (SSCR 646) RELATING TO HEALTH CARE.  
Introduced by: Hanabusa C (BR)  
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for critical access hospitals of no less than 101 per cent of cost, consistent with Medicare, for all services provided to members and for federally qualified health centers of no less than their prospective payment system rates for all services rendered to health plan beneficiaries. -- SB1140 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT/ HUS/ then CPC then FIN
- SB1141 SD2 (SSCR 808) RELATING TO PUBLIC LANDS.  
Introduced by: Bunda R  
Requires the department of land and natural resources to offer parcels of Sand Island for sale to persons who possess a valid lease, subject to approval by the legislature, within 1 year of the effective date of this Act. -- SB1141 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then FIN
- SB1142 SD1 (SSCR 389) RELATING TO PHYSICIAN ASSISTANTS.  
Introduced by: Green J (BR)  
Establishes provisions relating to physician assistant; authority to sign documents. Allows a physician assistant who holds a current, valid, and permanent license to practice medicine and who is under the supervision of a license physician or osteopathic physician to have the authority to sign certification of psychiatric medical condition of the parents of a child applicant for aid from the temporary assistance for needy families (TANF); evaluation forms for Hansen's disease patients; order for physical therapy and plans of care; pharmacist orders to assist in monitoring and management of anticoagulation anemia an atrial fibrillation; orders for speech therapy and plans of care; applications for bracelets indicating compassionate care only; admissions applications for foster home; dietary consultations forms; and Medicaid application forms for nursing care facility admission. Amends provisions relating to withdrawal of candidates; disqualification; death; notice. Adds physician assistant. Amends provisions relating to license renewals; procedures and requirements. Adds physician assistant. Amends provisions relating to mandatory use of seat belts, when penalty. Adds physician assistant. Amends provisions relating to testing and implied consent. Adds physician assistant. Amends provisions relating to persons qualified to take blood specimen. Adds physician assistant. Amends provisions relating to education law. Adds physician assistant. Amends provisions relating to volunteer emergency medical disaster response personnel. Allows physician assistant provide medical care without physician supervision and no physician who supervises a physician assistant voluntarily and gratuitously providing emergency care to be liable for civil damages from any personal injuries which result from acts or omissions by the physician assistant providing emergency care. Amends provisions relating to performance of vaccination and immunization. Adds physician assistant. Amends provisions relating to preauthorization exemption for certain physicians by adding physician assistants. Amends provisions relating to administration and enforcement; rules under hospital and nursing facility tax. Adds physician assistant. Amends provisions relating to coverage for child health supervision services. Adds physician assistant. Amends provisions relating to duty of physician, osteopathic physician, surgeon, hospital, clinic, etc., to report wounds. Adds physician assistant. Amends provisions relating to persons exempted under radiologic technology. Includes a licensed physician assistant. Amends provisions relating to authorization for color photographs, x rays, and radiological or other diagnostic examination. Adds licensed physician assistant. Amends provisions relating to grounds of qualification and disqualification under jurors law. Adds physician assistant. Amends provisions relating to exception to liability under tort actions law. Adds physician assistant. Amends provisions relating to medical torts. Redefines health care providers by adding physician assistant. -- SB1142 SD1  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to HLT then CPC/ JUD/ then FIN
- SB1143 SD1 (SSCR 552) RELATING TO THE STATE HISTORIC PRESERVATION OFFICER.

## SENATE BILLS THAT PASSED THIRD READING

- Introduced by: Hee C  
Amends provisions relating to state historic preservation officer. Requires that the officer or the deputy officer be a qualified historic preservation professional in architecture, architectural history, archaeology, history, culture, or a closely related field, who meets the professional qualification standards established by the US Secretary of the Interior to serve in that position, and have professional experience with respect to historic preservation in Hawaii. Upon appointment of the officer by the governor, the president of the senate and the speaker of the house of representatives will be advised of the selected officers qualifications for the position. -- SB1143 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then LAB then FIN
- SB1147 SD1 (SSCR 223) RELATING TO STATE DISASTER RELIEF.  
Introduced by: Espero W  
Amends provisions relating to disaster relief during suspension of preceding sections by changing it to proclamation of disaster emergency; report. Authorizes the governor to proclaim a disaster emergency to implement disaster relief. Requires that the vice director of civil defense issue a report within 90 days of the disaster proclamation to the governor, mayor or each county and the legislature with specific information. -- SB1147 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then JUD then FIN
- SB1148 SD2 (SSCR 627) RELATING TO THE COMPREHENSIVE OFFENDER REENTRY SYSTEM.  
Introduced by: Espero W  
Amends provisions relating to comprehensive offender reentry system. Requires the department of public safety within 90 days of the offender's felony prison sentencing by the court to develop comprehensive written reentry plan for each individual entering a correctional facility to assist in the rehabilitation of the offender and reviewed annually by reentry staff. Provides where feasible that no child or family member of the offender was a victim of the offender's crime, or proved further that there is no active temporary or permanent restraining order in place applicable to the offender. Requires the director when establishing policies or rules are consistent with public safety and inmate security, and when practical and feasible, in the best interest of the family; promote research in collaboration with impacted state agencies, interested individuals, and organizations, including but not limited to the department of human services and other state agencies, community partners who are impacted by, or provide services to, children of incarcerated parents and the university of Hawaii or other organization with experience and expertise in gathering and analyzing information and data. Requires the director to return Hawaii inmates held in out of state prisons when there is sufficient facility program and bed space to safely accommodate their return. Provides that by December 31, 2010, the maximum number of Hawaii inmates who are housed in out of state prisons shall not exceed 2,000. Legislative oversight to cease to exist on July 1, 2009, (sunset). Establishes a reentry commission within the department of public safety to monitor and review the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii paroling authority's oversight of parolees. Reentry commission to cease to exist on July 1, 2012 (sunset). -- SB1148 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to PBS then LMG then FIN
- SB1152 RELATING TO AGRICULTURAL LANDS.  
Introduced by: Hee C  
Establishes a 100 year moratorium on any building or development project on agricultural lands located in state senate districts 22 and 23; provided that the moratorium be limited to any building or development project for which general planning has not commenced; it is intended to affect parcels of agricultural land with an overall (master) productivity rating of class A or B, and designated as an agricultural district; it is intended to affect parcels of agricultural land located in the State of Hawaii, and designated as an agricultural district; and it is not a permissible use within an agricultural district. -- SB1152  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to AGR then WLO then JUD
- SB1160 SD2 (SSCR 660) RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.  
Introduced by: Sakamoto N, Chun Oakland S  
Amends provisions relating to assessments for common expenses under Hawaii public housing authority law. Allows the authority to require at least 1 per cent of common expenses for a state public housing project to be assess against all the units in the public housing project. Requires any common expense caused by the misconduct of any unit resident, allows the authority to

## SENATE BILLS THAT PASSED THIRD READING

assess that expense exclusively against the unit resident. Requires the authority to notify the unit residents of a public housing project in writing of common expense assessment increases at least 30 days prior to the assessment. -- SB1160 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HSG then FIN

SB1164 SD2 (SSCR 792)

RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.

Introduced by: Sakamoto N, Espero W, Chun Oakland S, Kidani M, Green J  
Establishes interstate compact on educational opportunity for military children law. Requires the superintendent of education to appoint the compact commissioner. -- Establishes the state council on educational opportunity for military children within the board of education. Act repealed on July 1, 2011 (sunset). -- SB1164 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then EBM then FIN

SB1165 SD1 (SSCR 641)

RELATING TO GENERAL EXCISE TAX.

Introduced by: Nishihara C

Amends Act 239, session laws of 2007, which provides that the general excise tax exemption includes amounts received by a submanager of an association of apartment owners of a condominium property regime or a nonprofit homeowners or community association in reimbursement for sums paid for common expenses and further provides a general excise tax exemption for amounts received by the operator of a hotel from the owner of the hotel to include amounts from a timeshare association and amounts received by the suboperator of a hotel from the owner of the hotel, from a timeshare association, or from the operator of the hotel, by repealing the sunset date. -- SB1165 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TCI then FIN

SB1167 SD2 (SSCR 834)

RELATING TO THE HAWAII TOURISM AUTHORITY.

Introduced by: Nishihara C

Establishes provisions relating to applicability of Hawaii public procurement code; convention center contractor. Subjects the private contractor that operates the convention center to the procurement code. Repeals exemption for concession or concession spaces at the convention center. -- Amends provisions relating to the Hawaii tourism authority; establishment; board. Requires the board to appoint 1 person to serve as president and chief executive officer, instead of executive director. -- Amends provisions relating to tourism related activities. Requires the Hawaii tourism authority to periodically submit a report of the contracts and agreement entered into by the authority to the governor, the speaker of the house of representatives and the president of the senate. -- Amends provisions relating to the tourism special fund. Allows the president and chief executive officer to have not more than 5 per cent of the funds in the tourism fund for administrative purposes. Amends Act 58, session laws of 2004 as amended by Act 22, session laws of 2005, and Act 306, session laws of 2006. -- SB1167 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TCI/ EBM/ then FIN

SB1173 SD2 (SSCR 809)

RELATING TO ENERGY EFFICIENCY.

Introduced by: Gabbard M, Espero W, Green J, Chun Oakland S, English J

Establishes provisions relating to energy efficiency portfolio standards under public utilities commission law. Requires the State to set energy efficiency portfolio standards and target 4,300 gigawatts of electricity saving by 2030 and electricity savings targets to be established by the public utilities commission. Requires the commission to establish all necessary parameters to implement the energy efficiency portfolio standards by rule or order. Requires the public benefits fee administrator to develop energy efficiency program designed to facilitate the achievement of energy efficiency portfolio standards. Requires the commission to evaluate the energy efficiency portfolio standards every 5 years beginning in 2013. Report to the legislature. Establishes provisions relating to public buildings; benchmarks. Requires state department with responsibilities for the design and construction of public buildings and facilities to benchmark every existing public building that is either larger than 5000 square feet or uses more than 8000 kilowatt hours of electricity or energy per year and to use the benchmark as a basis in determining the State's investment in improving the efficiency of its own building stock . Requires the resources coordinator to provide training to affected department on the energy star portfolio management tool or an equivalent tool. Establishes provisions relating to energy efficiency consumer information in sale or lease of real property. Requires energy consumption information to be disclosed by the seller or lessor in the sale or lease of real property. Establishes provisions relating to tax credit for a net zero energy building. Allows each taxpayer who owns a net zero

## SENATE BILLS THAT PASSED THIRD READING

energy building fixed to real property located in the State an income tax credit to be deductible from the net income tax liability for the 1st taxable year in which the building meets the definition of net zero energy building. Amends provisions relating to renewable energy technologies; income tax credit. Provides for each solar energy system 35 per cent of the actual cost or the cap amount determine whichever is less or each wind powered energy system 20 per cent of the actual cost or the cap amount determined whichever is less and the amount of credit allowed for each eligible renewable energy technology system shall not exceed the applicable cap amount.

-- SB1173 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ WLO/ then CPC then FIN

SB1178 SD2 (SSCR 737)

RELATING TO HEALTH.

Introduced by: Tokuda J, Green J, English J

Requires the department of health to review emergency plans and develop guidelines for dialysis centers to ensure the safety of dialysis patients in the event of a public emergency and post on its website a list of dialysis centers in Hawaii that have backup emergency generator with the capacity to sustain dialysis treatments while also maintaining their water treatment system in the event of a power outage. Report to the legislature. -- SB1178 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then FIN

SB1179 SD2 (SSCR 816)

RELATING TO EDUCATION.

Introduced by: Tokuda J, Taniguchi B

Establishes provisions relating to farm to school policy; established. Establishes that the policy of the State is to encourage and support a farm to school program. -- Establishes the farm to school program in the department of education to connect schools with local farmers with the objectives of serving healthy meals in schools, improving student nutrition, providing health and nutrition education opportunities that will last a lifetime, and support local farmers. -- SB1179 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to AGR then EDN then FIN

SB1181 SD2 (SSCR 504)

RELATING TO LABOR.

Introduced by: Takamine D

Amends provisions relating to payrolls and payroll records. Requires that a certified copy of all fringe benefits be reported on a form provided by the department of labor and industrial relations. Requires that the fringe benefit reporting form itemize the cost of fringe benefits paid by the general contractor or subcontractor for health and welfare benefits, pension and annuity benefits, vacation benefits, continuing education and training benefits and other fringe benefits paid by the general contractor or subcontractor. Requires that an itemized fringe benefit reporting form shall be included in employee payroll records. -- SB1181 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then FIN

SB1183 SD2 (SSCR 621)

RELATING TO DISCRIMINATORY PRACTICES.

Introduced by: Takamine D

Requires the Hawaii civil rights commission to define or amend the terms low vision devices; major life activities; ordinary eyeglasses or contact lenses; being regarded as having such impairment; and disability. -- SB1183 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then JUD

SB1184 SD1 (SSCR 498)

RELATING TO THE CIVIL RIGHTS COMMISSION.

Introduced by: Takamine D

Amends provisions relating to record; confidentiality; disclosure; reporting requirements by adding use. Adds that documents received from witnesses, and correspondence with parties and witnesses to be disclosed as required by order of a hearings examiner with jurisdiction in a case arising from a complaint filed with the civil rights commission or to be used as evidence in the investigation, conciliation, and litigation of complaints filed with the commission, or as ordered by a court or hearings examiner. Defines confidential witness to mean a person who is not a complainant or respondent to a complaint filed with the commission and who requests that the person's identity or statement be kept confidential, subject to a determination by the commission. -- SB1184 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD

SB1192 SD1 (SSCR 566)

RELATING TO DISTRICT COURT.



## SENATE BILLS THAT PASSED THIRD READING

- Introduced by: Taniguchi B (BR)  
Amends provisions relating to small claims, district court, powers. Changes the maximum amount of money in cases for the recovery of money, disagreements between landlord and tenant about security deposit, and for the return of leased or rented personal property owed in small claims court from 3,500 dollars to 7,000 dollars. -- SB1192 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to JUD then FIN
- SB1194 SD1 (SSCR 499) RELATING TO OFFENSES AGAINST PUBLIC ORDER.  
Introduced by: Taniguchi B (BR)  
Establishes provisions relating to gaffs or slashers prohibited. Prohibits any person from manufacturing, buying, selling, bartering, exchanging or possessing gaffs, slashers or any sharp object designed to be attached to the spur of a gamecock or fighting fowl. Establishes fines and penalties. -- SB1194 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD
- SB1195 SD1 (SSCR 582) RELATING TO THE ECONOMY.  
Introduced by: Fukunaga C  
Amends provisions relating to research and statistics for growth industries. Requires the department of business, economic development and tourism to submit annual reports to the legislature that provide an update on the criteria used to measure growth of the emerging industries. -- Amends provisions relating to the Hawaii State planning Act. Requires that the state plan done by the department of business, economic development and tourism include how to stimulate the development and expansion of economic activities capitalizing on defense, dual use, and science and technology assets, how to encourage businesses, particularly emerging industries in science and technology; and how to support research and development activities that strengthen economic productivity in agriculture, stimulate greater efficiency, and enhance the development of new products and agricultural by products. -- Amends provisions relating to objective and policies for the economy--visitor industry. Requires the State to utilize Hawaii's strengths in science and technology to improve the quality of existing visitor destination areas. Amends provisions relating to objective and policies for the economy--federal expenditures. Requires the state to build upon dual use and defense applications to develop thriving ocean engineering, aerospace research and development and related dual use technology sectors in Hawaii's economy. -- Amends provisions relating to objective and policies for the economy--potential growth activities. Requires the state to facilitate growth by expanding and diversifying Hawaii's economy by including renewable energy development, creative media and science and technology based sectors. -- Amends provisions relating to objectives and policies for the economy--information industry. Requires the state to plan the economy to position Hawaii as a leader in broadband communications and applications in the pacific region. -- SB1195 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then WLO
- SB1197 SD1 (SSCR 558) RELATING TO THE ECONOMY.  
Introduced by: Fukunaga C  
Requires the department of taxation to submit an annual report to the legislature on all tax expenditures. -- SB1197 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN
- SB1199 SD1 (SSCR 553) RELATING TO FISHING.  
Introduced by: English J, Tsutsui S, Sakamoto N  
Establishes provisions relating to Molokai community based subsistence fishing area; restrictions; regulations. Establishes the Molokai community based subsistence fishing area. -- SB1199 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then FIN
- SB1202 SD2 (SSCR 838) RELATING TO TRANSPORTATION ENERGY INITIATIVES.  
Introduced by: English J, Tsutsui S, Espero W, Kidani M, Tokuda J  
Amends provisions relating to the Hawaii state planning act. Includes fostering the research and development of nonfossil fuel and energy efficient modes of transportation. -- Establishes provisions relating to designation of parking spaces for electric vehicles, charging units. Requires all parking lots to designate at least 1 space for each 50 spaces exclusively for electric vehicles. -- Establishes provisions relating to parking spaces reserved for electric vehicles. Provides that a person who illegally parks in a electric vehicles parking shall be warned. -- Amends provisions relating to public utilities commission law. Redefines public utility to exclude plants or facilities

## SENATE BILLS THAT PASSED THIRD READING

used to charge or discharge a vehicle battery used for vehicle propulsion. -- Amends provisions relating to energy efficient vehicles under the Hawaii public procurement code by changing it to light duty vehicle requirements. -- Requires the department of transportation in consultation with the department of accounting and general services and the department of business, economic development, and tourism to coordinate with the counties and others to develop and implement a plan to expedite State and county permitting and installation of battery exchange stations and electric vehicle charging outlets. Report to the legislature. -- SB1202 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then TRN/ EBM/ then FIN

SB1203 SD2 (SSCR 773)

RELATING TO COMMUNITY SERVICE.

Introduced by: Tsutsui S, Sakamoto N

Requires the department of labor and industrial relations' office of community service to establish a program to require all state residents between the ages of 16 and 20 to serve a minimum of 500 hours of community service. Participants shall earn 3 dollars per hour in scholarship funds to be placed in a trust fund to finance any educational program until the age of 30. Report to the legislature. Requires the attorney general to advise the office on legal issues. Requires the governor, the board of education, and the board of regents of the university of Hawaii to direct all agencies under their authority to cooperate with and assist the department. -- SB1203 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then HUS then FIN

SB1205 SD2 (SSCR 817)

RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS.

Introduced by: Tsutsui S

Establishes a temporary health insurance for unemployed persons program in the department of human services to provide temporary health care coverage for persons who have lost employment. Requires the program to have a benefits package similar to the basic benefits provided in the QUEST Net program. Appropriation. (\$\$) -- SB1205 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then LAB then FIN

SB1206 SD1 (SSCR 649)

RELATING TO COUNTIES.

Introduced by: Tsutsui S

Amends provisions relating to additional powers of counties. Authorizes a board of water supply of a county of at least 500,000 people to issue revenue bonds in its own name if so authorized under the county charter. -- SB1206 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN

SB1215

PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATED TO RESIDENCE REQUIREMENTS FOR MEMBERS OF THE LEGISLATURE.

Introduced by: Kidani M

Proposes to amend the constitution. Requires candidates for the office of state senate or house of representatives to be a resident of the district from which they seek to be elected for not less than 12 consecutive months prior to the next succeeding general election. -- SB1215

Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to LMG then JUD then FIN

SB1218 SD2 (SSCR 721)

RELATING TO MORTGAGE LOAN ORIGINATORS.

Introduced by: Baker R (BR)

Repeals the mortgage brokers and solicitors law and replaces it with the mortgage brokers and loan originators law. Prohibits a person to engage in the business of a mortgage loan originator without a license. -- Amends provisions relating to criminal history record check under criminal data center law. Requires the department of commerce and consumer affairs to conduct a criminal history record checks on the applicant, or any of its officers, directors, partners, members, managers, employees or agents, if it is an applicant for a mortgage broker or a loan originator. Appropriation out of the compliance resolution fund. (\$\$) -- SB1218 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to CPC/ JUD/ then FIN

SB1221 SD1 (SSCR 165)

RELATING TO PUBLIC HOUSING.

Introduced by: Galuteria B, Hemmings F

Amends provisions relating to criminal trespass in the 1st degree. Provides that a person commits the offense of criminal trespass if that person enters or remains unlawfully in the premises of any public housing project, after reasonable warning to leave by housing authorities, adds that a warning or request to leave shall not be necessary between 10:00 p.m. and 5:00 a.m.;

## SENATE BILLS THAT PASSED THIRD READING

provided that the person is not an invited guest. -- SB1221 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HSG then JUD

- SB1222 SD1 (SSCR 590) RELATING TO THE HUMANE TREATMENT OF PET ANIMALS.  
Introduced by: Galuteria B  
Amends provisions relating to cruelty to animals in the 2nd degree, animal hoarding. Adds that a person commits the offense of cruelty to animals in the 2nd degree if the person intentionally, knowingly, or recklessly confines or causes to be confined in a kennel or cage, any pet animal in a cruel or inhumane manner or for any unreasonable length of time; tethers, fastens, chains, ties or restrains a dog to a dog house, tree, fence or any other stationary object by a chain, choke, pinch, chain or prong collar or any restraint that would allow the dog to become tangled. Amends the law on animal hoarding. Reduces the number of dogs and cats from 20 to 15. -- SB1222 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD
- SB1223 SD1 (SSCR 580) RELATING TO HAWAII MADE PRODUCTS.  
Introduced by: Galuteria B, Tsutsui S, Kidani M, Baker R, English J, Gabbard M, Tokuda J, Hemmings F  
Amends provisions relating to Hawaii made products. Prohibits a person from using a product in advertising or as a media tool unless it meets the criteria for being labeled made in Hawaii. Requires the department of agriculture to convene a working group to identify issues relating to the Hawaii made products law and to propose workable solutions, including solutions for enforcement. Report to legislature. -- SB1223 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to AGR then CPC then FIN
- SB1224 SD1 (SSCR 321) RELATING TO AIRPORT CONCESSIONS.  
Introduced by: Galuteria B, Sakamoto N, Green J  
Requires the department of transportation to periodically review each airport concession contract. Act to be repealed on July 1, 2014 (sunset). -- SB1224 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TRN then FIN
- SB1226 SD2 (SSCR 717) RELATING TO THE TOURISM SPECIAL FUND.  
Introduced by: Nishihara C, Tsutsui S, Hooser G, English J  
Amends provisions relating to the transient accommodations tax. Changes the percentage for the tourism special fund. -- SB1226 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TCI then FIN
- SB1227 SD2 (SSCR 833) RELATING TO THE HAWAII TOURISM AUTHORITY.  
Introduced by: Nishihara C, Tsutsui S, Hooser G, Kokubun R, Ige D, Tokuda J, Kidani M, English J  
Establishes the department of tourism law. Requires the department to promote activities, maintain, and expand the state's domestic and international travel market. -- Changes the department of business, economic development, and tourism to the department of business and economic development. Repeals the Hawaii tourism authority and transfers function to the department of tourism. -- Requires the governor to convene an interagency working group to develop comprehensive plans for transferring certain rights, powers, functions, and resources to the department of tourism. Working group to cease to exist on June 30, 2012 (sunset). -- SB1227 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TCI then FIN
- SB1228 SD2 (SSCR 791) RELATING TO STATE SMALL BOAT HARBORS.  
Introduced by: Kokubun R (BR)  
Amends provisions relating to ocean recreation and coastal areas programs. Allows commercial fishing operations to transfer ownership, without terminating its permit. -- SB1228 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to WLO
- SB1230 SD2 (SSCR 789) RELATING TO TAXATION.  
Introduced by: Kokubun R  
Establishes a real property asset acquisition tax. Imposes the tax on transfers of real property located in Hawaii or any interest therein that is affected by a sale transaction. Amends

## SENATE BILLS THAT PASSED THIRD READING

conveyance tax law by changing it to conveyance taxes. -- SB1230 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to CPC then FIN

SB1241 SD2 (SSCR 777)

### RELATING TO REAL PROPERTY TRANSACTIONS.

Introduced by: Hee C

Establishes provisions relating to prohibition on transfer fees; covenants. Prohibits charging a fee in connection with a future transfer of the property when deed restriction or other covenant running with the land applicable to the sale of residential real property that requires a transferor of residential real property, or the transferee's heirs, successors, and assigns, to pay to a declarant or other person imposing a deed restriction or covenant on the property or a 3rd party designated by a transferor of the property. Exempts fees or charges required by a land restriction or other covenant running with the land in connection with the transfer of residential real property.

-- SB1241 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to CPC then JUD

SB1247 SD2 (SSCR 818)

### RELATING TO THE ECONOMY.

Introduced by: Fukunaga C, Hooser G, Espero W, Baker R, Chun Oakland S, Tsutsui S, Green J, Ige D

Amends provisions relating to the tax administration special fund. Allows the expenditure of funds to compile usage and other data to analyze the costs and benefits of the tax laws. -- Requires the department of taxation and the department of business, economic development, and tourism to perform an evaluation of various tax credits and exemptions and report to the legislature. -- SB1247 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN

SB1248 SD1 (SSCR 680)

### RELATING TO STATE ENTERPRISE ZONES.

Introduced by: Fukunaga C

Amends provisions relating to state enterprise zone. Defines eligible business activity as the manufacture of tangible personal property and the wholesale sale of tangible personal property, and production of agricultural products or the processing of agricultural products, research, development, sale or production of all types of genetically engineered medical, agricultural or maritime biotechnology products, or production of electric power from wind energy for sale primarily to a public utility company for resale to the public. -- Amends the definitions of qualified business and service business to include limited liability companies. -- Amends provisions relating to enterprise zone designation. Repeals sections that relate only to Kauai and the Waialua district of Oahu. -- Amends provisions relating to the eligibility; qualified business; sale of property. Allows a business firm to be designated a qualified business if it is an eligible business activity. Allows for the receipts, sales, and employees of a business establishments in all enterprise zones located within the same county to count towards qualification in the enterprise program. -- Amends provisions relating to State business tax credit. Allows agricultural producers, manufacturers and wholesalers to renew their eligibility into the enterprise zone program for an additional 7 years. -- SB1248 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM/ AGR/ then EEP then FIN

SB1249 SD2 (SSCR 819)

### RELATING TO TEACHERS.

Introduced by: Sakamoto N, English J, Espero W, Green J, Galuteria B, Chun Oakland S, Ihara L, Hooser G, Tsutsui S, Kidani M

Establishes provisions relating to teacher housing allowance program. Requires the department of education to establish the program to provide housing allowances to teachers employed to teach at public schools. -- Establishes provisions relating to homeownership for educators program. Requires the department of education to administer the program to offer a deferred interest 2nd mortgage to qualified teachers and staff. Establishes the educator's 2nd mortgage revolving trust fund to provide mortgages. -- Appropriation for the teacher housing allowance program. -- Appropriation for the homeownership for educators 2nd mortgage revolving fund. and out of the fund. -- Appropriation for management of the teacher housing program and for renovation, repair, and maintenance to bring existing units to acceptable levels of habitation. Reports to the legislature. -- Establishes the teachers peer review program. Requires all new teachers to participate in the program for the 1st 5 years of teaching. Requires the department to develop and administer standards for peer reviewers. Appropriation. -- Requires the department to establish a timetable to amend the provisions of bargaining unit 6 (educational officers and other personnel of the department of education) contract, Article XVII(F), and department of education school code 5200(A) compensation to increase the number of years of

## SENATE BILLS THAT PASSED THIRD READING

prior teaching experience allowable for salary placement credit for full time experience in a school in the US from 6 to 10 years. Reports to the legislature. (\$\$) -- SB1249 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then HSG then FIN

SB1250 SD1 (SSCR 279)

RELATING TO EDUCATION.

Introduced by: Sakamoto N

Prohibits an individual to be employed by the department of education on an emergency basis for more than 3 consecutive years. Requires unlicensed individuals who have been hired on an emergency basis after June 30, 1997, but prior to July 1, 2008, to be employed on an emergency basis for no more than 4 consecutive years. -- SB1250 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN/ LAB/ then FIN

SB1258 SD2 (SSCR 713)

RELATING TO RENEWABLE ENERGY.

Introduced by: Gabbard M, Chun Oakland S, Kidani M

Amends provisions relating to public utilities commission law. Provides that renewable energy to mean electrical energy savings will not count towards the renewable portfolio standards beginning in 2015. Requires electric utility company that sells electricity for consumption to establish a renewable portfolio standard of 25 percent of its net electricity sales by December 31, 2020 and 40 per cent of its net electricity sales by December 31, 2030. Requires that before 2015, at least 100 per cent of renewable portfolio standards be met and beginning 2015, the entire renewable portfolio standards be met by electrical generation from renewable energy sources. Requires the commission to ensure that the electric utility companies' opportunity to earn a fair rate of return is not diminished; and evaluate the renewable portfolio standards every 5 years beginning in 2013, and determine if the renewable portfolio standards established remain achievable based on its own studies and other information. Report to the legislature. -- Amends provisions relating to additional customer generators. Allow the commission, by rule or order to increase or eliminate the limit to the allowable percentage of the electric utility's system peak demand produced from eligible customer generators. -- Subject to approval from the governor, requires the energy resource coordinator to formulate a systematic process, development of requirements to identify geographic areas with renewable energy resource; develop and recommend incentive plans and programs to encourage the development of renewable energy resources projects; assist public and private agencies in identifying the utility transmission projects or infrastructure for renewable energy resources; assist public and private agencies in coordination with the department of budget and finance in accessing the use of revenue bonds; and develop the criteria or requirements for identifying and qualifying transmission projects or infrastructure. -- Amends provisions relating to state enterprise zone law. Redefines qualified business to mean by adding that a business engaged in development or production of fuels or thermal energy or electrical energy from renewable resources. -- Amends provisions relating to renewable energy facilitator; establishment; duties. Requires the renewable energy facilitator to facilitate the efficient permitting of renewable energy project, which include land parcel on which the facility is situated, any renewable energy production structure or equipment, any energy transmission lines from the facility to a public utility's electricity system, and any on site infrastructure for the production of electricity or biofuel from the renewable energy site. -- Requires biofuel production facilities and electricity production facilities with capacities between 5 and 2 hundred megawatts to apply to the coordinator for designation as a renewable energy facility. Appropriation. (\$\$) -- SB1258 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then CPC then FIN

SB1259 SD2 (SSCR 632)

RELATING TO ENVIRONMENTAL RESPONSE.

Introduced by: Gabbard M, Green J

Amends provisions relating to the environmental response law. Defines bona fide prospective purchaser as a person (or a tenant of a person) that acquires ownership of a facility after October 1, 2009 and establishes specified conditions. Amends provisions relating to the environmental response law. Exempts from liability bona fide prospective purchasers and owners of real property that is contiguous to or otherwise similarly situated with respect to and that is or may be contaminated by a release or threatened release of a hazardous substance from, real property that is not previously owned or owned by that person. -- SB1259 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ WLO/ then JUD

SB1260 SD1 (SSCR 790)

RELATING TO AIR POLLUTION FEES.

Introduced by: Gabbard M, Chun Oakland S, Hooser G

Amends provisions relating to fees under air pollution control law. Repeals provision that a

## SENATE BILLS THAT PASSED THIRD READING

covered source not be assessed for emissions of a regulated air pollutant in excess of 4,000 tons per year. -- SB1260 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then FIN

SB1263 SD2 (SSCR 766)

RELATING TO TATTOO ARTISTS.

Introduced by: Ige D, Green J

Establishes provisions relating permit; required for tattoo shop. Prohibits a person, partnership, firm, corporation, or other legal entity to operate a tattoo shop without registering the shop and obtaining a permit with the department of health. Authorizes the department to issue temporary permit valid for a maximum period of 7 consecutive days per calendar year for locations other than a permitted tattoo shop for educational, trade show, product demonstrations or educational demonstrations. Authorizes the department to issue temporary licenses valid for a maximum period of 14 days in any given calendar year for to tattoo artists not licensed in the State for educational, trade show, or product demonstrations. Redefines tattoo artist to mean any person who creates indelible marks or decorative designs by introducing pigments beneath the surface of the skin, resulting in permanent or semi permanent makings with the aid of needles, electric machines, hand tools or other devices or means. Prohibits license to be issued or renewed unless the applicant has taken and passed a tuberculin skin test or chest x ray examination within 6 months of application, has completed the hepatitis B vaccination series or antibody testing showing immunity, unless the vaccine is contraindicated for medical reason and has signed appropriate waivers. Provides that a positive test result for tuberculosis, hepatitis B, HIV (human immunodeficiency virus), or any communicable disease shall not disqualify an applicant from being issued a license, provided that the applicant to obtains and submits to the director a certificate signed by a physician licensed in the state which certifies that the applicant is not a risk to customers or other employee of the tattoo shop due to disease. Prohibits tattooing any person under the age of 18 without written consent of the person's parent or legal guardian, prohibits tattooing anyone under 16 years of age regardless of parental or legal consent. Establishes penalties. -- SB1263 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC/ JUD/ then FIN

SB1265 SD1 (SSCR 749)

RELATING TO LABELING OF MEAT AND FISH PRODUCTS.

Introduced by: Ige D, Green J, Chun Oakland S

Amends provisions relating to definitions under the Hawaii meat inspection Act. Requires that meat or meat products, or the meat or meat products derived from exotic animals, have been gas treated to enhance the product color, the label must indicate the type of gas used and a statement that the gas was used to approximate the appearance of freshness. -- Amends provisions relating to same, misbranding or misleading advertisement. Requires that fish products that have been gas treated to enhance the product color, the label must indicate the type of gas used and a statement that the gas was used to approximate the appearance of freshness. -- SB1265 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC/ JUD/

SB1268 SD2 (SSCR 505)

RELATING TO AFFORDABLE HOUSING.

Introduced by: Hee C

Amends provisions relating to housing, county powers. Allows the counties to issue affordable housing credits to the department of Hawaiian home lands and to approve a transfer or assignment of credits by the department of Hawaiian home lands within 60 days. -- SB1268 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HAW/ HSG/ then FIN

SB1271 SD1 (SSCR 427)

RELATING TO PUBLIC EMPLOYEES.

Introduced by: Kim D

Amends provisions relating to leaves of absence. Requires state executive department and state legislative branch employees who are exempt from civil service laws to use or donate accumulated and accrued vacation allowance prior to discharge, or to forfeit remaining vacation allowance and any compensation in lieu of retaining vacation allowance upon discharge. -- SB1271 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then FIN

SB1272 SD1 (SSCR 155)

RELATING TO TAXATION.

Introduced by: Kim D, Tsutsui S, Hooser G, Nishihara C, English J

Amends provisions relating to the transient accommodations tax. Provides that of the \_\_\_\_\_ dollars deposited into the tourism special fund \_\_\_\_\_ per cent shall be deposited into the state

## SENATE BILLS THAT PASSED THIRD READING

parks special fund, \_\_\_\_\_ per cent shall be deposited into the special land and development fund and \_\_\_\_\_ per cent shall be deposited into the pest inspection, quarantine, and eradication fund.

-- SB1272 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TCI/ AGR/ then FIN

SB1276 SD2 (SSCR 712)

RELATING TO SMALL BUSINESS.

Introduced by: Slom S, Fukunaga C, Chun Oakland S, Sakamoto N, Kidani M, Tokuda J, Galuteria B, Green J, Ihara L

Repeals and replaces the small business bill of rights under the small business regulatory flexibility act. Amends Act 230, session laws of 2008. -- SB1276 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then JUD then FIN

SB1277 SD2 (SSCR 652)

RELATING TO HOUSING.

Introduced by: Sakamoto N, Kidani M, Green J, Espero W, Galuteria B, Chun Oakland S, Ihara L

Establishes provisions relating to a self help housing trust fund to be administered by the Hawaii housing finance and development corporation. Allows appropriations by the legislature, private contributions, repayment of loans, interest, other returns and moneys from other sources to be deposited into the fund. Requires the fund to provide loans or grants for development, predevelopment, construction, acquisition, preservation, and substantial rehabilitation of self help housing units. Permitted uses include planning, design, land acquisition, costs of options, down payments, equity financing, capacity building of nonprofit housing developers, and other housing development services or activities. Provides loans and grants provided that the corporation establishes loan to value ratios to protect the fund and that are not to exceed 100 per cent. Annual report to legislature. -- Amends provisions relating to conveyance tax. Increases the tax for properties with a value of at least 1 million dollars but less than 2 million dollars and creates categories for properties 2 to 4 million dollars, 4 to 6 million dollars, 6 to 10 million dollars, and 10 million dollars or greater. Increases the amount of conveyance tax revenues that goes to the rental housing trust fund to 45 per cent and reduces the amount paid to the natural area reserve fund to 20 per cent, and adds that 5 per cent shall be paid to the self help housing trust fund. Amends provisions relating to the sale of a condominium or single family residence for which the purchase is ineligible for a county homeowner's exception on property tax. -- Amends provisions relating to rental housing trust fund of the Hawaii housing finance and development corporation. Amends provisions relating to the disposition of taxes. Changes from 35 percent to 45 per cent of the conveyance taxes collected each fiscal year that will be paid into the rental housing trust fund. -- Amends provisions relating to low income housing income tax credit. Increases the credit to 100 per cent of the applicable percentage of the qualified basis of each building located in Hawaii. Provides that for any project placed in service beginning January 1, 2009, section 42 (b) (2) (B) of the Internal Revenue Code is modified for a 5 year period. -- Amends provisions relating to real property; restrictions on transfer; waiver of restrictions. Allows purchaser to refinance real property developed and sold as affordable housing properties provided that if any restriction or transfer remains applicable, that the purchaser obtains the consent of the Hawaii housing finance and development corporation. Requires that the corporation's share of appreciation on real property applies when the sale price of the real property that is developed and initially sold is less than the then current, unencumbered, fair market value of the real property as determined by a real property appraisal obtained prior to the closing of the sale, is a restriction that runs with the land until it is paid in full and released by the corporation, or extinguished, and may be paid at any time after recordation of the sale. Requires that restrictions be automatically extinguished when a mortgage hold or other party becomes the owner of the real property provided that the mortgage is the initial purchase money mortgage, or that the corporation consented to, and agreed to subordinate the restrictions on the mortgage when originated if the mortgage is not the initial purchase money mortgage. Requires a mortgagor to notify the corporation 45 days prior to commencing mortgage foreclosure proceedings. Requires that in any sale in which the corporation's share of appreciation in real property shall be a restriction, the terms of the shared appreciation equity program shall be clearly stated and included as an exhibit in any deed, lease, agreement of sale, or any other instrument of conveyance. -- Establishes provisions relating to mortgage credit certificates under income tax laws. Provides an income tax credit in an amount equal to the product of the certificate rate and the interest paid or accrued by the taxpayer during the taxable year on the remaining principal of the certified indebtedness amount. -- Requires the Hawaii housing finance and development corporation to make recommendations regarding the use of tax incremental financing as an economic development tool to leverage private development. Report to the legislature. Appropriation. (\$\$) -- SB1277 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HSG/ WLO/ then FIN

## SENATE BILLS THAT PASSED THIRD READING

- SB1278 SD2 (SSCR 681) RELATING TO EDUCATION.  
Introduced by: Sakamoto N, Green J, Hooser G, Tsutsui S, Kidani M  
Amends provisions relating to junior kindergartens and kindergarten programs. Prohibits schools to move students between junior kindergarten and kindergarten except in cases where the movement is based on assessments determined by a qualified teacher with early childhood education background and experience and the formative and summative assessment of a student's academic, physical, social, and emotional abilities. Requires the department of education to use assessment tools and protocols for determining a student's initial placement and for decision making about a student's movement between tiers and into grade 1. Allows junior kindergarten students to graduate directly to 1st grade. Further requires the department to establish categories of qualified teachers with early childhood education backgrounds and experience and teacher aide paraprofessionals. -- Requires the department to complete the planning and development of the appropriate curriculum for the 2 tiered kindergarten program. Report to the legislature. Appropriation for teacher professional development and for creation of 1 permanent educational specialist position. (\$\$) -- SB1278 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then FIN
- SB1299 SD1 (SSCR 212) RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING.  
Introduced by: Hanabusa C (BR), Espero W  
Amends provisions relating to State enterprise zones. Redefines qualified business to include businesses engaged in advanced flight simulator training for pilots, dispatcher, mechanics, or air traffic controllers. -- SB1299 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then FIN
- SB1300 SD1 (SSCR 647) RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS.  
Introduced by: Hanabusa C (BR)  
Appropriation to the department of education to establish and hire 6 instructor positions for junior reserve officers' training corps (JROTC) programs at public high schools in the State. (\$\$) -- SB1300 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then FIN
- SB1308 SD1 (SSCR 76) RELATING TO EDUCATION.  
Introduced by: Hanabusa C (BR)  
Repeals the teacher standards board and replaces with the board of education. -- SB1308 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN/ LAB/ then FIN
- SB1310 SD2 (SSCR 719) RELATING TO HEALTHCARE.  
Introduced by: Hanabusa C (BR)  
Establishes the region specific, medical home healthcare federal demonstration project for the Waimanalo and Waianae area to provide culturally sensitive, community based services, including integrated behavioral services. Appropriation to the department of human services to the Waianae coast comprehensive health center. Requires that only moneys received by the State pursuant to the federal American Recovery and Reinvestment Act of 2009 may be expended. (\$\$) -- SB1310 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT/ HUS/ then FIN
- SB1311 SD1 (SSCR 118) RELATING TO AQUATIC RESOURCES.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to university of Hawaii may use land, etc. Allows the university of Hawaii the privilege, free of charge, of using the staff of the department of land and natural resources for the purposes of a biological laboratory and for research. -- SB1311 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HED then WLO
- SB1313 SD2 (SSCR 650) RELATING TO COMMUNITY DEVELOPMENT.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to Kewalo basin; management. Requires the department of land and natural resources to have sole jurisdiction and administrative responsibility for the management of all submerged lands and contiguous fast lands necessary for the management, maintenance, and operation of the small boat harbor facilities at Kewalo basin. Repeals the Hawaii community development authority. Transfers real property within the Kalaeloa community



## SENATE BILLS THAT PASSED THIRD READING

development district and the portion of the Kakaako community development district that is makai of Ala Moana boulevard to the department of land and natural resources and the portion of the Kakaako community development district that is mauka of Ala Moana boulevard to the city and county of Honolulu. Transfers zoning authority to the city and county of Honolulu. Requires that the legislative reference bureau prepare proposed legislation that substitutes references made in the Hawaii Revised Statutes to the Hawaii community development authority with the department of land and natural resources, chairperson of the board of the department of land and natural resources, or the city and county of Honolulu, and correct corresponding references or referring language, as appropriate. Requires the legislative reference bureau to submit proposed legislation to the legislature. -- SB1313 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then TRN then FIN

SB1315 SD2 (SSCR 709)

RELATING TO CONSERVATION AND RESOURCES ENFORCEMENT PROGRAM.

Introduced by: Hanabusa C (BR)

Amends provisions relating to board of land and natural resources by transferring jurisdiction over the conservation and resources enforcement program to department of public safety. -- SB1315 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO/ PBS/ then FIN

SB1316 SD2 (SSCR 837)

RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION.

Introduced by: Hanabusa C (BR)

Repeals the aloha tower development corporation. Transfers all rights, powers and functions to the Hawaii community development authority. -- Establishes provisions relating to a aloha tower fund. Creates the aloha tower fund to be administered by the department of business, economic development and tourism. Requires the Hawaii community development authority to be responsible for the development, planning, construction, improvement, repair, and reconstruction of projects within the Aloha Tower complex. Allows the authority with the approval of the governor to issue bonds. -- Establishes provisions relating to the partnership with department of transportation, harbors, division and the US department of transportation, maritime administration; commercial harbors modernization plan. Requires the department of transportation, harbors division to assume jurisdiction over the harbors modernization project from the Aloha Tower development corporation, requiring all projects be approved by the director of transportation and the governor. Establishes provisions relating to the harbors modernization plan that includes the Honolulu harbor, the Kahului harbor, the Hana harbor, the Hilo harbor, the Kawaihae harbor, the Kalaeloa harbor, the Nawiliwili harbor, and land disposition matters in projects identified in the commercial harbors modernization plan. Establishes the membership and functions of the harbors modernization group. Exempts procurements relating to the harbors modernization project from the procurement code until June 30, 2016 (sunset). -- SB1316 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO/ TRN/ then EBM then FIN

SB1318 SD1 (SSCR 245)

RELATING TO PLANNING AND ECONOMIC DEVELOPMENT.

Introduced by: Hanabusa C (BR)

Repeals the coastal zone management law. Repeals the office of state planning and transfers rights, powers, functions, and duties of the office to the planning to the department of business, economic development, and tourism. -- SB1318 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then FIN

SB1327 SD1 (SSCR 559)

RELATING TO THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX.

Introduced by: Hanabusa C (BR)

Amends provisions relating to adjustments and refunds of taxes. Reduces the interest rate to 1/3 of 1 per cent. -- SB1327 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN

SB1329 SD2 (SSCR 682)

RELATING TO EARLY LEARNING.

Introduced by: Chun Oakland S, Sakamoto N, Green J

Amends provisions relating to the early learning system law. Changes the early learning council to allow representative's designees for center based program providers, family child care program providers, family child interaction learning program providers, and philanthropic organizations that support early learning, and allows 2 representatives of the Hawaii Council of Mayors or designees. Changes the Keiki 1st steps trust fund to the early learning trust fund. -- SB1329 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House

## SENATE BILLS THAT PASSED THIRD READING

Mar-12 09 Multiple Referral to EDN then FIN

- SB1332 SD2 (SSCR 648) RELATING TO HEALTHCARE.  
Introduced by: Chun Oakland S  
Establishes the respiratory care practitioners law. Requires a practitioner of respiratory care to be licensed by the state respiratory care practitioners board established within the department of commerce and consumer affairs. -- SB1332 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC/ JUD/ then FIN
- SB1334 SD2 (SSCR 711) RELATING TO HAWAIIAN MUSIC AND DANCE.  
Introduced by: Galuteria B, Kim D, Kidani M, Sakamoto N, Chun Oakland S, Green J, Baker R  
Establishes provisions relating to a museum for Hawaiian music and dance; advisory committees; established. Establishes the museum within the state foundation of culture and arts. Requires the state foundation on culture and the arts in coordination with the department of accounting and general services to negotiate with a nonprofit entity to develop, operate, and manage the museum. Allows the department of land and natural resources to lease land in the Kakaako makai area on lands controlled by the Hawaii community development authority for the museum. Appropriation. (\$\$) -- SB1334 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TCI then HAW then FIN
- SB1338 SD2 (SSCR 744) RELATING TO HOUSEHOLD ENERGY DEMAND.  
Introduced by: Kidani M, Baker R, Espero W  
Amends provisions relating to placement of solar energy devices. Adds that no person shall be prevented from erecting and using a clothesline for the purpose of drying clothes on the premises of any single family residential dwelling or townhouse that the person owns; provides that the board of directors may implement reasonable restrictions with regard to the placement of the clothesline so long as the restrictions do not prohibit clotheslines altogether or deny access to air or sunlight requirements reasonably necessary for the effective use of the clothesline. Redefines solar energy device to include photovoltaic cell applications and clotheslines; provided that clothesline means a rope, cord, or wire on which laundry is hung to dry. -- SB1338 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ HSG/ then FIN
- SB1343 SD2 (SSCR 638) RELATING TO FEES AND OTHER ASSESSMENTS.  
Introduced by: Kokubun R, Takamine D, Tokuda J  
Amends provisions relating to fees and other assessments. Repeals the authority of administrative agencies to establish fees and replace administratively established fees with statutory fees, including department of commerce and consumer affairs, department of agriculture, department of business, economic development and tourism, housing finance and development corporation, reserved housing loan program, Hawaii community development authority, department of transportation, department of education, university of Hawaii, department of health, and banking fees. -- SB1343 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN
- SB1344 RELATING TO HEALTH CARE.  
Introduced by: Kokubun R (BR)  
Establishes provisions relating to Medicaid managed care; request for proposal requirements. Requires the department of human services in its request for proposals to provide that care services to eligible QUEST recipients include provisions for all individuals who are existing members of QUEST health plans to be required to select a health plan during an initial enrollment period of 60 days. -- SB1344  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS/ HLT/ then FIN
- SB1345 SD1 (SSCR 691) RELATING TO AGRICULTURE.  
Introduced by: Kokubun R, Takamine D, Hee C, Tokuda J  
Establishes provisions relating to withdrawal of leased land; fair compensation; lease extension. Provides that upon the withdrawal, or upon the taking which causes any portion of the land to become unusable for the specific use or uses for which it was intended pursuant to lease restrictions for intensive agricultural and pasture uses, the rent shall be reduced in proportion to the value of the land withdrawn or made unusable, and if any permanent improvement constructed upon the land by the lessee is destroyed or made unusable in the process of the withdrawal or taking, the proportionate value thereof shall be paid to the lessee based on the

## SENATE BILLS THAT PASSED THIRD READING

unexpired term of the lease. Prohibits withdrawal or taking of the land which are then under cultivation with crops until the crops are harvested or unless the board of land and natural resources pays the lessee the residual value of the crops. Further provides that any person with a long term lease shall be compensated for the present value of all permanent improvements. Entitles a lessee to compensation for costs attributable to the diminished use of the leased land.

-- SB1345 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO/ AGR/ then FIN

SB1346 SD2 (FLOOR  
AMENDMENT 3)

RELATING TO TAXATION.

Introduced by: Sakamoto N, Chun Oakland S, Kidani M, Hooser G, Espero W

Provides an income tax credit for general volunteer services performed for the public schools. -- Provides a general excise tax exemption for income arising from the manufacture, production, packaging, and sale of food items including any food or food product for home consumption and meals prepared and served for aged, meals prepared and served for treatment and rehabilitation programs, meals prepared and served for disabled or blind recipients of social security, and meals prepared and served by residential shelters for women and children. Prohibits county surcharge on food. -- Provides a general excise tax exemption of over the counter nonprescription medications and prescription eyewear, of physician and dentistry services, and rent. -- Establishes provisions relating to education funding commission. Establishes the commission within the department of education to establish dollar or percentage allocations for moneys deposited into the education special fund. Report to the legislature and governor. Establishes the fund into which shall be deposited a portion of the general excise tax revenues. Provides that the fund shall be used to support early education public schools. -- Increases the standard deduction for income tax purposes as provided by section 63 (with respect to taxable income defined) of the Federal Internal Revenue Code. -- Changes the 4 per cent general excise tax. -- SB1346 SD2

Current Status: Mar=12 09 Passed Third Reading Senate as amended (SD2)

SB1349 SD1 (SSCR 567)

RELATING TO NOTARIES PUBLIC.

Introduced by: Taniguchi B

Establishes provisions for authorized changes to documents after notarization. Allows notary publics to make certain changes to the document after notarization, under specified conditions. Amends provisions relating to seal. Requires that the notary public's commission number be shown on the notary public's stamp or seal. -- SB1349 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD/ CPC/

SB1350 SD2 (SSCR 786)

RELATING TO KAKAAKO.

Introduced by: Taniguchi B

Establishes provisions for a reserved housing requirement for Kakaako mauka area. Redefines reserved housing unit to mean a multi family dwelling unit that is purchased or rented by a family that has an income of not more than 140 per cent of the median income and complies with the eligibility requirements. Requires that at least 50 per cent of the countable floor area of each major development of a lot of at least 80,000 square feet in the Kakaako mauka area be developed as and made available for reserved housing units. provided that after five years from the effective date of Act \_\_\_\_ the percentage shall increase to at least 60 per cent. Allows the developer of the planned development to make a cash payment to the Hawaii community development authority in lieu of developing and making available the reserved housing floor area or units required. Allows the developer to transfer excess housing credits to another project in Kakaako mauka. -- SB1350 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to WLO/ HSG/

SB1352 SD2 (SSCR 503)

RELATING TO BUREAU OF CONVEYANCES.

Introduced by: Tokuda J, Chun Oakland S

Establishes provisions relating to fee time share interest, deregistration of fee time share interests. Requires registrar or assistant registrar to note recordation and cancellation of the certificate of title in the registration book and in the records of the application for registration of the land that is the subject of the certificate of title. -- Establishes a chain of title of deregistered land. Allows the department of land and natural resources to establish a transaction fee of 5 dollars to be charged for each recording in the bureau of conveyance and in the office of the assistant registrar of the land court for services rendered by the bureau of conveyances. Requires fees collected to be deposited to the credit of the bureau of conveyances special fund and to be used to support purchases for hardware, system design and staff training related to automation of the bureau of conveyances. Repealed on June 30, 2011 (sunset). -- Requires the

## SENATE BILLS THAT PASSED THIRD READING

bureau of conveyances to implement an integrated electronic filing system for electronic recordation of fee time share interests as a 2 year pilot program. Requires that the bureau of conveyances create an employer employee working group to resolve any issues that may arise in the implementation of fee time share interests and make recommendations for the recovery of lost revenue due to deregistration of time shares. Report to the legislature. Working group repealed on January 31, 2010 (sunset). -- SB1352 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then JUD then FIN

SB1381 SD2 (SSCR 820)

RELATING TO THE ENVIRONMENT.

Introduced by: Hooser G

Establishes provisions relating to use of American Recovery and Reinvestment act of 2009 funds and other federal moneys. Allow the director of health to provide financial assistance to public water systems for the construction of necessary drinking water infrastructure projects, through the drinking water fund, using moneys from the American Recovery and Reinvestment Act of 2009 and other applicable federal acts. Allows the director to provide financial assistance for publicly owned wastewater treatment works for the construction of necessary wastewater infrastructure projects, through the water pollution control revolving fund established by using money from the American Recovery and Reinvestment Act of 2009 and other applicable federal acts. -- SB1381 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP/ WLO/ then FIN

SB1449 SD2 (SSCR 846)

RELATING TO GENERAL EXCISE TAX.

Introduced by: Hooser G

Amends provisions relating to general excise taxes by changing the day of payment from the last day of the calendar month to the 20th day of the calendar month and requires the taxpayer to make estimated tax payments by voucher. Provides that for underpayment of estimated taxes, 2/3 of 1 per cent per month of the amount of the underpayment for the period of the underpayment would be added. -- SB1449 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN

SB1461 SD2 (SSCR 847)

RELATING TO TAXATION.

Introduced by: Hooser G

Amendments provisions relating to payment of taxes by electronic funds transfer by changing it to filing and payment. Authorizes the director of taxation to require any person who is required to file a federal tax return electronically to electronically file a state return and electronically remit any state taxes to the department. Amends provisions relating to general excise tax, transient accommodations tax, fuel tax, cigarette tax and tobacco tax, and rental motor vehicle and tour vehicle surcharge tax by changing the day of payment from the last day of the month to the 20th day of the month the taxes are due. -- SB1461 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN

SB1568 SD2 (SSCR 449)

RELATING TO UNEMPLOYMENT INSURANCE.

Introduced by: Hooser G

Establishes provisions relating to part time work; benefits available under the Hawaii employment security law. Prohibits an individual to be denied regular unemployment benefits relating to availability for work, active search for work, or refusal to accept work, solely because the individual is seeking only part time work. Establishes provisions relating to separation for compelling family reason. Prohibits that individual be disqualified from regular compensation for separating from employment if that separation is for a compelling family reason. Defines compelling family reason to mean domestic violence that is verified; illness or disability of a member of the individual's immediate family; or need for the individual to accompany the individual's spouse, because of a change in the location of the spouse's employment. -- SB1568 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then HUS then FIN

SB1610 SD2 (SSCR 747)

RELATING TO MEDICAL ORDERS.

Introduced by: Baker R

Establishes provisions relating to order given by physician assistant; agent under medicine and surgery law. Provides that an order by a licensed physician assistant who is properly performing within the physician assistant's scope of practice to be deemed a medical order of a physician assistant's supervising physician. -- SB1610 SD2

## SENATE BILLS THAT PASSED THIRD READING

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then JUD/ CPC/

SB1611 SD2 (SSCR 720)

### RELATING TO HIGHWAYS.

Introduced by: English J

Requires the department of transportation to establish a vehicle miles traveled pilot program to evaluate a vehicle miles traveled user fee. Further requires the department to develop 1 or more pilot programs to test alternatives to state and county motor vehicle fuel taxes. -- Establishes the land transportation modernization special fund to be administered by the department of transportation. Provides that the funds shall be exempt from special funds for central service expenses and departmental administrative services. Authorizes the department to expend funds for revenue bond debt service. -- Increases the fuel tax, state motor vehicle registration fee, and vehicle weight tax for any island with a population of more than 20,000, with the revenues from the increases going to the special fund. Requires the director of transportation to deposit 20 dollars from every registration into the special fund. Increases the rental motor vehicle and tour vehicle surcharge tax. -- Authorizes the department to issue highway revenue bonds for various capital improvement projects and programs. -- Allows the department of taxation to refund motor vehicle fuel taxes paid by participants in pilot programs. -- Authorizes the department of transportation to execute a master agreement with a consultant to be the overall program manager. Appropriation of an additional amount of highway revenue bonds and the sum of 1 dollar of federal funds. Reports to the legislature. (\$\$) -- SB1611 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TRN then FIN

SB1614 SD2 (SSCR 710)

### RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND.

Introduced by: English J

Amends provisions relating to passenger facility charge special fund. Allows the director of transportation to use appropriated funds paid into the passenger facility charge special fund for airport capital improvement program project approved by the legislature and as permitted under the Aviation Safety and Capacity Expansion Act. Allows the department to establish subaccounts within the passenger facility charge special fund and requires the transfer of funds to pay debt service on bonds issued to finance airport capital improvement projects and authorized by the legislature. -- SB1614 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to TRN then FIN

SB1621 SD2 (SSCR 623)

### RELATING TO COLLECTIVE BARGAINING.

Introduced by: Takamine D

Establishes provisions relating to facilitation of collective bargaining agreements. Requires collective bargaining for establishing an initial agreement following certification or recognition procedures to apply not later than 10 days after receiving a written request for collective bargaining from an individual or labor organization; if after the expiration of the 90 day period on the date which bargaining commenced or, the parties have failed to reach an agreement, either party may notify the federal mediation and conciliation service of the existence of a dispute and request for mediation; if after the expiration of the 30 day period which the request for mediation is made and the federal mediation and conciliation services is not able to bring the parties to agreement, requires the federal mediation and conciliation services to refer the dispute to an arbitration panel. Requires the arbitration panel to render a decision settling the dispute, and the decision to be binding upon parties for a period of 2 years, unless amended during the period by written consent of the parties. -- Establishes provisions relating to union representation. Provides that a duly certified labor organization that represents employees for the purpose of collective bargaining has the privilege to refuse to disclose and to prevent any other person from disclosing confidential information and communications made for facilitating the rendition of union representational services to employees through the collective bargaining process. Allows the labor organization that provides representational services related to collective bargaining to bring a civil action in circuit court for nonpayment of union dues by members and agency fees by person covered by a collective bargaining. Establishes defenses for protected activity in a labor dispute. Amends provisions relating to representation; elections by adding employee free choice. Requires that whenever a petition is filed by an employee or group of employees or any individual or labor organization acting in their behalf alleging that a majority of employees in a unit appropriate for the purpose of collective bargaining, requires the board to investigate. Amends provisions relating to prevention of unfair labor practices. Requires employee to take affirmative action, including reinstatement of employees to make whole order in favor of employees, including back pay with interest, costs, and attorney's fees. Prohibits and employer to wilfully or repeatedly commits unfair or prohibited practices that interfere with the statutory rights of employees or discriminate against employees for the exercise of protected conduct to be subject

## SENATE BILLS THAT PASSED THIRD READING

to a civil penalty not to exceed 20,000 dollars for each violation. -- SB1621 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then FIN

- SB1622 SD1 (SSCR 429) RELATING TO EMPLOYMENT SECURITY.  
Introduced by: Takamine D  
Establishes provisions relating to transition employment period. Provides that in the event of a divestiture of a covered establishment, within a period of 10 days after the confirmation of the transaction causing the divestiture, requires the existing employer to make available to the prospective employer the names of all employees of the existing employer employed at the site or sites covered by the transaction, the date each employee was hired, and each employee's job classification. Requires the prospective employer to provide a similar level of products or services, or both, as the products and services provided by the existing employer and to retain, for a 90 day transition employment period, all employees and maintain a preferential hiring list of eligible employees not retained by the new employer to hire additional employees based on operational needs. Establishes penalties. -- SB1622 SD1  
Current Status: Mar-10 09 Introduction/Passed First Reading - House  
Mar-10 09 Multiple Referral to LAB then EBM then FIN
- SB1624 SD1 (SSCR 781) PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO ALLOW THE LEGISLATURE TO EITHER FUND THE TAX CREDIT UNDER ARTICLE VII, SECTION 6 OF THE CONSTITUTION, OR DEPOSIT THE SAME AMOUNT INTO THE EMERGENCY AND BUDGET RESERVE FUND.  
Introduced by: Hooser G, Tsutsui S, Kim D, Chun Oakland S, Baker R, Espero W, Tokuda J  
Proposes to amend the constitution. Amends the provision that whenever the state general fund balance at the close of each of 2 successive fiscal years exceeds 5 per cent of general fund revenues for each of the 2 fiscal years, the legislature in the next regular session shall provide for a tax refund or tax credit by allowing either a tax refund or credit or deposit into the emergency and budget reserve fund. -- SB1624 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to FIN
- SB1633 SD2 (SSCR 695) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST EPOD, INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU.  
Introduced by: Hanabusa C (BR)  
Authorizes the issuance of special purpose revenue bonds to assist EPOD, Inc., a corporation to be incorporated in the State of Hawaii, with the planning, design, construction, equipping, and operating of a solar panel manufacturing plant and solar farm power plant on the island of Oahu and various other islands. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB1633 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then FIN
- SB1645 SD1 (SSCR 742) RELATING TO STATE BUILDING CODE.  
Introduced by: Hanabusa C (BR), Kidani M, English J, Hee C  
Requires that the state building code council review studies and structural tests on bamboo as a construction material and recommend standards and criteria for the use of bamboo as an accepted construction material under the state building code. Report to the Legislature. -- SB1645 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to WLO then CPC
- SB1661 SD1 (SSCR 578) RELATING TO PUBLIC AGENCY MEETINGS.  
Introduced by: Hanabusa C (BR), Green J, Ihara L  
Establishes provisions relating to attendance of members at meetings other than board meetings; legislative hearings. Allows a member of a board to attend a meeting of any other board, commission, agency, or department where a subjects is discussed that may be on the agenda of a future board meeting of the member's board providing and following certain requirements. -- Amends provisions relating to boards and commissions; quorum; number of votes necessary to validate acts. Allows a board or commission to meet if no quorum is present provided that it is duly noticed meeting, that the board or commission takes no action, and that minutes of the meeting are taken. -- SB1661 SD1  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to JUD
- SB1664 SD2 (SSCR 810) RELATING TO EMPLOYMENT SECURITY.

## SENATE BILLS THAT PASSED THIRD READING

Introduced by: Takamine D, Espero W, Hooser G, Hanabusa C, Kokubun R, Ihara L, Kim D, Tsutsui S, Hee C, Ige D, English J, Fukunaga C, Kidani M, Galuteria B, Sakamoto N, Green J, Chun Oakland S, Tokuda J, Nishihara C, Baker R

Establishes provisions relating to partial unemployment under Hawaii employment security law. Allows a new claim or an initial additional claim for partial unemployment benefits to be filed as the department prescribes for any week, if the individual is a full time worker; attached to the individual's regular employer; worked less than or did not work the normal, customary full time hours of that week; had no earnings or earned less than the individual's weekly benefit amount for that week and was unemployed due to a lack of full time work for that week. Allows a new claim to be taken within 28 days from the week ending date of the 1st week of partial unemployment for which the claim is filed. Establishes partial unemployment waivers and reporting requirements. Act to be repealed on July 1, 2012 (sunset). -- SB1664 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to LAB then FIN

SB1665 SD2 (SSCR 692)

RELATING TO HIGHER EDUCATION.

Introduced by: Tokuda J, Takamine D, Espero W, Kim D, Hooser G, Hanabusa C, Kokubun R, Ihara L, Tsutsui S, Ige D, English J, Fukunaga C, Kidani M, Galuteria B, Hee C, Green J, Nishihara C, Sakamoto N, Baker R, Chun Oakland S

Establishes under program ID UOH 800, university of Hawaii community colleges, a skilled worker and business development center to develop curriculum to assist businesses and nonprofit organizations retrain and cross train their workers to adapt to the economic downturn and new technology to be modeled after the Pacific center for advanced technology training. Center to include a 2 fold counseling component to provide assistance to businesses and nonprofit organizations that face difficult economic times or changes in their industry; and occupational and career counseling for displaced workers or other individuals. Establishes an advisory board for the center. Report to the legislature. Appropriation out of the unemployment trust fund to the department of labor and industrial relations to assist in the establishment and startup of the center and programs. Requires funds to be expended in conjunction with the university of Hawaii through the rapid response fund. (\$\$) -- SB1665 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HED/ LAB/ then FIN

SB1666 SD2 (SSCR 690)

RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES.

Introduced by: Chun Oakland S, Espero W, Ige D, Kidani M, Ihara L, Kim D, Tsutsui S, Hee C, English J, Fukunaga C, Galuteria B, Green J, Hooser G, Hanabusa C, Kokubun R, Nishihara C, Tokuda J, Sakamoto N, Baker R

Appropriation out of the American Recovery and Reinvestment Act of 2009 to the department of human services for federal temporary assistance for needy families (TANF) program funds to provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives, and for associated eligibility determination costs; for obtaining work program contracts and providing support services for temporary assistance for needy families and temporary assistance for other needy families recipients; for programs to prevent and reduce the incidence of out of wedlock pregnancies and encourage the formation and maintenance of 2 parent families; for the purchase of service contracts for child protective services; for transfer to the child development fund; for transfer to the social services block grant; for information systems costs related to the temporary assistance for needy families program; and for administering the program. (\$\$) -- SB1666 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS then FIN

SB1668 SD2 (SSCR 821)

RELATING TO HUMAN SERVICES.

Introduced by: Hooser G, Chun Oakland S, Hanabusa C, Kokubun R, Ihara L, Kim D, Tsutsui S, Hee C, Tokuda J, Espero W, English J, Fukunaga C, Kidani M, Galuteria B, Nishihara C, Sakamoto N, Green J, Ige D, Baker R

Amends provisions relating to aged, blind, and permanently and totally disabled; eligibility for assistance, by replacing permanently and totally disabled to temporarily incapacitated persons. Allows persons without minor dependents and who are determined needy in accordance with state standards to be eligible for state funded public assistance. Further provides that the payment standard or standard of allowance for an aged, blind, temporarily incapacitated, or disabled person shall not exceed 62.5 per cent of the standard of need. Repeals the requirement that the director of human services to determine the allowance for general assistance to households without minor dependents based upon the total amount appropriated for general assistance. Repeals provisions relating to general assistance to households without minor dependents. Provides that the director of human services, with the approval of the governor, may authorize the expenditure of funds for public assistance through the transfer of moneys from other

## SENATE BILLS THAT PASSED THIRD READING

programs under the purview of the director of human services. -- SB1668 SD2  
Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HUS then FIN

SB1669 SD2 (SSCR 683)

### RELATING TO EDUCATION.

Introduced by: Sakamoto N, English J, Espero W, Ige D, Kim D, Chun Oakland S, Green J, Tokuda J, Galuteria B, Nishihara C, Kidani M, Hooser G, Hanabusa C, Kokubun R, Ihara L, Tsutsui S, Kim D, Fukunaga C, Baker R

Authorizes the issuance of general obligation bonds for appropriation to the department of education for repair and maintenance projects. -- Exempts the department from expenditure of public money and public contracts law, the Hawaii public procurement code, and any and all other requirements of law for competitive bidding for contracts related to construction projects. Requires the department to develop internal policies and procedures. Annual report to the legislature. -- Exemption to be repealed on June 30, 2012 (sunset). (\$\$) -- SB1669 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EDN then FIN

SB1671 SD1 (SSCR 739)

### RELATING TO FOSSIL FUELS.

Introduced by: Gabbard M, Hooser G, Hanabusa C, Kokubun R, Ihara L, English J, Kidani M, Espero W, Nishihara C, Kim D, Tsutsui S, Hee C, Galuteria B, Tokuda J, Fukunaga C, Sakamoto N, Green J, Baker R, Chun Oakland S, Ige D

Establishes provisions relating to fossil fuel electricity generating facilities. Effective July 1, 2009, prohibits new electricity generating covered source that is owned or operated by an electricity generating public utility with a rated capacity of more than 2 megawatts to be permitted to generate electricity from fossil fuel sources and existing on July 1, 2009, except for an electric utility cooperative association, shall be modified in any manner that allow it to use more fossil fuel as a source of electricity generation than is allowed under its permit as of July 1, 2009. Prohibits covered source that is owned or operated by an electric utility cooperative association with a rated capacity of more than 2 megawatts and existing on July 1, 2009 to be modified in any manner that allow it to use more fossil fuel as a source of electricity generation that is allowed under its permit as of July 1, 2015. Amends provisions relating to renewable portfolio standards. Effective July 1, 2009, prohibits the public utilities commission to approve any application by a public utility to build new generation facility with a rated capacity greater than 2 megawatts that uses fossil fuel as the source of electricity generation; provided that, between July 1, 2009 and July 1, 2015, allows the commission to approve such applications when the application is submitted by an electric utility cooperative association. -- SB1671 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then CPC then FIN

SB1672 SD1 (SSCR 581)

### RELATING TO HISTORIC STRUCTURES.

Introduced by: Fukunaga C, Hanabusa C, Hooser G, Kokubun R, Ihara L, Kim D, Tsutsui S, Hee C, Tokuda J, Green J, Nishihara C, English J, Kidani M, Galuteria B, Espero W, Sakamoto N, Baker R, Chun Oakland S, Ige D

Amends provisions relating to review of effect of proposed state projects. Amends the requirement that if a building is eligible for listing or is listed on the Hawaii or national register of historic places, no demolition will occur until photographs of the historic building have been transmitted by the responsible agency, officer, or county by repealing the requirement that the photographs be archival quality black and white photographs. -- Amends provisions relating to historic property. Provides that each county agency that issues building, construction, or development related permits shall not issue any permit allowing the demolition of a historic building until the applicant for a permit provides proof that the department of land and natural resources was provided with photographs of the historic building. -- Amends provisions relating to photographs of historic property. Defines photographs of historic building as pictures of the building exterior, including window treatments, doors, roof line and interesting architectural details, such as gables, finials, rock wall foundations or porches. Allows the department of land and natural resources and the counties to convene and establish a task force. Report to the legislature. -- SB1672 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Single Referral to WLO

SB1673 SD2 (SSCR 845)

### RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION.

Introduced by: Hanabusa C, Ige D, Green J, Hooser G, Kokubun R, Ihara L, Kim D, Tsutsui S, Hee C, Tokuda J, English J, Fukunaga C, Kidani M, Galuteria B, Espero W, Sakamoto N, Chun Oakland S, Baker R, Nishihara C

Amends provisions relating to maintenance of services under the Hawaii health systems corporation. Prohibits a planned substantial reduction or elimination of direct patient care



## SENATE BILLS THAT PASSED THIRD READING

services at a facility unless the plan is 1st submitted to the regional system board for approval, then presented to the community at an informational meeting in order to obtain community input on the plan, and provided that if the regional system board approves the plan, the plan as approved may be submitted to the corporation board for ratification, then requires the corporation to give notice of implementation of the plan to the president of the senate, the speaker of the house of representatives, and the governor until legislation is enacted to require the reinstatement and continuation of the direct patient care services subject to the reduction or elimination. -- Amends provisions relating to community hospitals; liabilities prior to July 1, 1996; assumption by department of health; report. Requires the department of health to assume the total amount of all liabilities and debts or other obligations of the Hawaii health systems corporation that had accrued up to June 30, 1996 while the community hospitals were operating within the division of community hospitals of the department of health. Report to the legislature. -- Amends provisions relating to community hospitals; assumption of liabilities by Hawaii health systems corporation; after June 30, 1996. Requires the Hawaii health systems corporation to bear the sole responsibility for assuming all liabilities and debts or other obligations accrued beginning on July 1, 1996 and thereafter, by the community hospitals operating within the Hawaii health systems corporation. -- Amends provisions relating to Hawaii health systems corporation; employees' retirement system liabilities; after June 30, 1996. Requires the corporation to bear sole responsibility for making all appropriate employer payments into funds of the employees' retirement system beginning on July 1, 1996, and thereafter. Amends provisions relating to contributions by certain state agencies. Adds the Hawaii health system corporation and the employees. -- Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for critical access hospitals of no less than 101 per cent of cost, consistent with Medicare, for all services provided to members and for federally qualified health centers of no less than their prospective payment system rates. -- Establishes provisions relating to negotiating authority; Hawaii health systems corporation. Authorizes the corporation to negotiate with the exclusive representatives of any appropriate bargaining unit. -- Requires the corporation to develop procedures for obtaining verifiable information regarding the criminal history of persons who are employed or seeking employment, or are current or prospective contractors, providers, or volunteers in any of the corporation's health facilities. -- Establishes provisions relating to transition to a corporation or corporations under hospitals and medical facilities. Authorizes any of the regional systems or individual facilities of the Hawaii health systems corporation to transition into a new legal entity including a nonprofit corporation, for profit corporation, municipal facility, public benefit corporation, or any 2 or more of the entities upon approval of the appropriate regional system board or the corporation board and regional system boards. Requires each regional system board and each community hospital under the jurisdiction of the corporation collaborate with community health centers within their respective geographic jurisdictions to maximize funding from the state and federal government. Requires each regional system board to have the powers, duties, and responsibilities that are specific to the regional system board. Requires the corporation and each regional system board to notify the speaker of the house of representatives; president of the senate; and chairperson of the respective subject matter committee for health in each house within 30 days of any substantial reduction or elimination of direct patient care services. -- SB1673 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then FIN

SB1674 SD2 (SSCR 664)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Tokuda J, Espero W, Hooser G, Hanabusa C, Ihara L, Kim D, Tsutsui S, Hee C, Sakamoto N, Chun Oakland S, English J, Fukunaga C, Kidani M, Galuteria B, Green J, Baker R, Gabbard M, Nishihara C, Ige D

Amends Act 161, session laws of 2007, relating to university of Hawaii projects and purposes, by increasing the amount that the authorization cannot exceed for the costs of construction of any university project, deleting reference to fiscal year 2007 - 2008, and adds appropriation out of revenue bond proceeds. (\$\$) -- SB1674 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HED then FIN

SB1675 SD2 (SSCR 746)

RELATING TO RENEWABLE ENERGY.

Introduced by: Gabbard M, Hooser G, Hanabusa C, Kokubun R, Ihara L, Kim D, Tsutsui S, Hee C, Tokuda J, Espero W, English J, Kidani M, Sakamoto N, Green J, Baker R, Nishihara C, Chun Oakland S, Ige D

Amends provisions relating to public utilities commission law. Redefines eligible customer generator to include leases or purchases electricity. Redefines energy metering to require the electric utility not to unreasonably deny, burden, or delay an eligible customer generator's request to participate in net energy metering. Replaces provisions relating to termination by eligible

## SENATE BILLS THAT PASSED THIRD READING

customer generators with eligible customer generators; termination; alternative credits or compensation mechanisms. Provides that if the public utilities commission, at any time, establishes alternative mechanisms for crediting or compensating eligible customer generators for exported power, requires that the eligible customer generators with existing net energy metering contracts to have the option of maintaining existing net energy metering contracts rather than converting to new alternative credits or compensation mechanisms. -- SB1675 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EEP then CPC

SB1676 SD2 (SSCR 753)

RELATING TO HEALTH.

Introduced by: Baker R, Ige D, Hooser G, Hanabusa C, Kokubun R, Ihara L, Kim D, Tsutsui S, Tokuda J, Espero W, Chun Oakland S, Hee C, English J, Fukunaga C, Kidani M, Galuteria B, Sakamoto N, Green J, Nishihara C

Establishes provisions relating to practice of telemedicine. Allows license physicians to practice telemedicine which includes a documented patient evaluation, history and a discussion of physical symptoms adequate to establish a diagnosis and identify underlying conditions or contra indications to the treatment recommended or provided. Provides that treatment recommendations made via telemedicine to be held to the same standards of practice in traditional physician patient settings. Provides that once a provider patient relationship is established, allows a patient or physician licensed in this State to use telemedicine for any purpose, including consultation with a medical provider licensed in another state. -- SB1676 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT then CPC/ JUD/

SB1677 SD1 (SSCR 140)

RELATING TO LANDS CONTROLLED BY THE STATE.

Introduced by: Hanabusa C, Espero W, Hee C, Hooser G, Kokubun R, Ihara L, Kim D, Tsutsui S, Tokuda J, Gabbard M, Sakamoto N, English J, Fukunaga C, Nishihara C, Green J, Baker R, Ige D, Chun Oakland S

Establishes provisions relating to ceded lands. Provides that the sale or exchange of ceded lands under the control of state departments and agencies requires approval by each house by concurrent resolution by at least a 2/3 majority vote. Allows for the sale of remnants and portions thereof. -- SB1677 SD1

Current Status: Mar-10 09 Passed Second Reading House  
Mar-10 09 Referred to WLO/ JUD/

SB1678 SD3 (FLOOR  
AMENDMENT 1)

RELATING TO TAXATION.

Introduced by: Fukunaga C, Kim D, Hanabusa C, Hooser G, Kokubun R, Ihara L, Tsutsui S, Hee C, Nishihara C, Espero W, Tokuda J, English J, Galuteria B, Green J, Sakamoto N, Baker R, Chun Oakland S, Ige D

Establishes tax on wholesalers, service businesses, and contractors, tax on import of goods and services and contracting for resale, and insurance producer's tax. -- Establishes a committee to work with and oversee the department of taxation's implementation, administration, and compliance of the Streamlined Sales and Use tax Agreement. Requires the legislative reference bureau to assist the department or contractor in drafting appropriate legislation. -- SB1678 SD3

Current Status: Mar=12 09 Passed Third Reading Senate as amended (SD3)

SB1679 SD2 (SSCR 689)

RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.

Introduced by: Chun Oakland S, Sakamoto N, Takamine D, English J, Green J, Kidani M, Hooser G, Hanabusa C, Kokubun R, Ihara L, Tsutsui S, Hee C, Fukunaga C, Espero W, Tokuda J, Galuteria B, Nishihara C, Ige D

Appropriation out of the emergency budget and reserve fund (rainy day fund) to the department of health, department of human services, and department of education. -- Appropriation out of the emergency budget and reserve fund (rainy day fund) to the executive office on aging to supplement the development of Ke Ola Pono, the Chronic Disease Self management Program, and EnhancedFitness; and to the department of health for a respite services program; to supplement the healthy start program; for grants for Catholic Charities, Inc., Kapahulu senior center, Moiliili senior center, and Waikiki community center; for maintaining kupuna care services; to supplement the development of the aging and disability resource center program; for the developmental disabilities medicaid waiver program; for mental health services; for the partnerships in community living program; for direct health care to the uninsured; for substance abuse treatment; and for the healthy aging partnership program. (\$\$) -- SB1679 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to HLT/ HUS/ then FIN

SB1680 SD2 (SSCR 714)

RELATING TO TECHNOLOGY.

Introduced by: Fukunaga C, Espero W, Kim D, Sakamoto N, Hooser G, Hanabusa C, Kokubun

## SENATE BILLS THAT PASSED THIRD READING

R, Ihara L, Tsutsui S, Hee C, Green J, English J, Kidani M, Galuteria B, Nishihara C, Ige D, Tokuda J, Baker R, Chun Oakland S

Establishes the Hawaii broadband commissioner law. Provides that the commissioner be attached to the department of commerce and consumer affairs and shall have general supervision over all telecommunications carriers and cable operators and have the general supervision over public, educational, or governmental (PEG) access facilities and public educational, or governmental access organizations. Further requires the commissioner to study and develop a comprehensive policy to further deploy broadband communications, including internet access. Further requires the commissioner to develop programs and initiatives intended to facilitate the deployment of broadband communications services in the state and access to those services by users in the State. Annual report to the governor and from the governor to the legislature. Establishes the commissioner special fund to be used by the commission and the division of consumer advocacy. Annual report on the fund to the legislature. Establishes a communication advisory committee to advise the commissioner, telecommunications operators, and cable operators. -- Requires telecommunications carrier to obtain a certificate of convenience and necessity before commencing its business. -- Empowers the commissioner to issue cable franchises and designate a PEG (public education and government) access organization consistent with administrative rules that are adopted with input from the public and with recognition of the 1st amendment rights of individuals who utilize PEG access services. Allows the commissioner to apply for, and expend, federal moneys from the American Recovery and Reinvestment Act of 2009, and other applicable federal acts; to purchase broadband facilities, services, or equipment and enter into contracts for broadband related projects, through the compliance resolution fund; establish a separate account within the Hawaii broadband commissioner special fund and assign to that account federal moneys appropriated under federal laws; any moneys applied for or received by the department for uses related to the purpose to be transferred to the Hawaii broadband commissioner upon its establishment; and exempts contracts or purchases using moneys from the American Recovery and Reinvestment Act of 2009 or federal funds appropriation measures from the expenditure of public money and public contracts law. -- Repeals cable television system law. Transfers functions and responsibilities relating to telecommunications and cable operators from the department and the public utilities commission to the communications commissioner. Transfers portions of the moneys from the public utilities commission special fund to the communications commission special fund and cable television subaccount. Requires the department of commerce and consumer affairs cable televisions division to transfer 4 positions each to the commissioner. Requires the commissioner to convene a work group to develop procedures for streamlined regulatory, franchising, and permitting function for the use or development of broadband service or technology. Report to the legislature. Requires the legislative reference bureau to review laws relating to broadband technology, telecommunications, infrastructure development, and permitting requirements and report to the legislature. Appropriation out of the federal fund subaccount of the commissioner special fund to purchase broadband facilities, services, or equipment or to fund broadband related infrastructure projects. (\$\$) -- SB1680 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House  
Mar-12 09 Multiple Referral to EBM then CPC then FIN

## **SENATE BILLS THAT PASSED THIRD READING**

*(This page intentionally left blank.)*

## HOUSE BILLS THAT PASSED THIRD READING

- HB0028 HD1 (HSCR 374) RELATING TO DEAD HUMAN BODIES.  
Introduced by: Oshiro M  
Amends provisions relating to prohibitions; penalty under medical and research use of bodies law. Prohibits a person to provide a dead human body to any other person in consideration of any money or other things of value or any offer or promise of money or other things of value. Increases fines. -- HB0028 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then JGO
- HB0029 HD1 (HSCR 375) RELATING TO DEAD HUMAN BODIES.  
Introduced by: Oshiro M  
Establishes provisions relating to commercial display of dead human bodies under medical and research use of bodies law. Prohibits public commercial display of a dead human body unless, a permit for the display has been issued by the department of health. -- HB0029 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then WAM
- HB0031 RELATING TO EMPLOYMENT PRACTICES.  
Introduced by: Oshiro M  
Amends provisions relating to discriminatory practices made unlawful offenses defined. Prohibits any employer to refuse to hire or employ or to bar or discharge from employment, or otherwise to discriminate against any individual in compensation or in the terms, conditions, or privileges of employment of any individual because of the individual's credit history or credit report, unless the information directly relates to a bona fide occupational qualification. -- HB0031  
Current Status: Mar=06 09 Introduction/Passed First Reading - Senate  
Mar=10 09 Single Referral to LBR
- HB0034 RELATING TO STATE BONDS.  
Introduced by: Oshiro M  
Establishes debt limit on general obligation bonds. Authorizes the issuance of general obligation bonds. Authorizes the issuance of general obligation bonds to refund any general obligation bonds. (\$\$) -- HB0034  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM
- HB0035 HD1 (HSCR 725) RELATING TO INCOME TAX CREDIT.  
Introduced by: Oshiro M  
Provides an income tax credit of 1 dollar which shall be multiplied by the number of qualified exemptions and deducted from income tax liability for taxable year 2009. Provision is made pursuant to requirement of Article VII, section 6, Hawaii State Constitution. -- HB0035 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM
- HB0036 HD1 (HSCR 904) RELATING TO HEALTH.  
Introduced by: Oshiro M  
Amends provisions relating to establishment of fees under department of health law. Changes the environmental health education fund to the sanitation and environmental health special fund. Requires the department of health to partially fund the operating costs of program activities and functions to enhance the capacity of sanitation and environmental health programs. Provides that any amount in the fund in excess of \_\_\_\_ dollars on June 30 of each year to be deposited into the general fund. Annual report to the legislature. -- HB0036 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WAM
- HB0039 HD2 (HSCR 735) RELATING TO STATE REVENUES.  
Introduced by: Oshiro M  
Establishes provisions relating to fee for certain services by a state agency. Requires a surcharge of 5 dollars to every fee charged by a state agency for a permit, license, certificate, registration, for the application for a loan, for recordation of a document, for application or issuance of a tax clearance, for acquisition of procurement solicitation documents from a state agency, for the conduct on an inspection or test, or for the taking of an examination held by a state agency. Exempts other fees from the surcharge. Repeals act on June 30, 2015 (sunset). -- HB0039 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM

## HOUSE BILLS THAT PASSED THIRD READING

- HB0087 HD2 (HSCR 588) RELATING TO EDUCATION.  
Introduced by: Takumi R  
Amends provisions relating to administrative hearing procedures and subpoena power relating to the education of children with disability. Provides that the department of education shall have the authority and obligation for oversight and monitoring of students eligible for special education who are placed in a private school or facility at public expense. -- HB0087 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH then WAM
- HB0111 RELATING TO STATE SALARIES.  
Introduced by: Rhoads K  
Amends provisions relating to salary withheld for indebtedness to the government. Provides that a recovery of over payment shall not commence after 2 years from the date of the indebtedness. -- HB0111  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to LBR then WAM
- HB0123 HD2 (HSCR 798) RELATING TO THE UNIVERSITY OF HAWAII.  
Introduced by: Chang J, Evans C, Manahan J, Sagum R  
Amends Act 161, session laws of 2007, relating to university of Hawaii projects and purposes. Changes the principal amount of revenue bonds authorized. Appropriation out of the revenue bond proceeds to the board of regents of the university of Hawaii. (\$\$) -- HB0123 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HRE then WAM
- HB0124 HD1 (HSCR 5) RELATING TO HEALTH PROFESSIONAL EDUCATION.  
Introduced by: Chang J, Manahan J, Berg L, Sagum R, Evans C, Ito K  
Appropriation to the university of Hawaii to support the Hawaii Quentin Burdick rural health interdisciplinary training program. (\$\$) -- HB0124 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HRE/ HTH/ then WAM
- HB0128 HD1 (HSCR 675) RELATING TO ELECTIONS.  
Introduced by: Oshiro B, Karamatsu J  
Establishes provisions relating to the standard withdrawal and declaration of candidacy form. Requires the office of elections to develop a standard withdrawal and declaration of candidacy form by January 1, 2010. -- Amends provisions relating to the withdrawal of candidates and nomination paper. Requires the candidate to give written notice using the standard withdrawal and declaration of candidacy form. -- HB0128 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO
- HB0130 HD1 (HSCR 676) RELATING TO JUDGMENTS.  
Introduced by: Oshiro B, Manahan J, Karamatsu J  
Establishes provisions relating to foreign defamation judgment. Provides that courts of this State shall have personal jurisdiction over any person who obtains a foreign judgment for defamation against any person who is a resident of Hawaii or is a person or entity amenable to jurisdiction in Hawaii where the communication was published in Hawaii and the resident or person amenable to jurisdiction in Hawaii either has assets in Hawaii or may have to take action in Hawaii to comply with the foreign defamation judgment. Amends provisions relating to uniform foreign money judgment recognition act. Establishes that a foreign judgment shall not be conclusive if the cause of action resulted in a defamation judgment obtained outside the US unless the court before which the matter is brought sitting in this State 1st determines that the defamation law applied in the foreign court's adjudication provided at least as much protection for freedom of speech and press in that case as would be provided by both the US and Hawaii constitutions. Establishes that persons who obtain judgments in defamation proceedings outside the US shall be afforded free speech and free press protections. -- HB0130 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO
- HB0135 RELATING TO THE STATE INSECT.  
Introduced by: Oshiro B  
Establishes provisions relating to the state insect. Designates the pulelehua, Kamehameha butterfly, as the state insect. -- HB0135  
Current Status: Mar=10 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to EDT

## HOUSE BILLS THAT PASSED THIRD READING

- HB0139 HD2 (HSCR 882) RELATING TO TRANSPORTATION.  
Introduced by: Cabanilla R  
Establishes the Hawaii public private partnership in transportation law. Authorizes the department of transportation to provide for the development or operation of eligible facilities using a variety of project delivery methods and forms of agreement. Establishes provisions for public private partnership agreements. Defines eligible facility to mean any new facility developed, operated, used or useful for the safe transport of people or goods via 1 or more modes of transport, whether involving highways, boats, vessels, inter modal or multi modal systems, or any other mode of transport, as well as facilities, structures, parking, rail yards or storage facilities, vehicles, rolling stock or other equipment, items or property. -- HB0139 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then WAM
- HB0142 HD1 (HSCR 883) RELATING TO INTRA-STATE AVIATION.  
Introduced by: Souki J, Yamashita K, McKelvey A  
Establishes provisions relating to aviation fuel for air transportation. Provides that general excise tax provisions shall not apply to amounts received from the sales of aviation fuel categorized as privileged foreign merchandise, non privileged foreign merchandise, domestic merchandise, or zone restricted merchandise, that is admitted into foreign trade zone and is purchased by a common carrier for consumption or use in air transportation between 2 points in the state. -- Provides that use does not include use of aviation fuel categorized as privileged foreign merchandise, non privileged foreign merchandise, domestic merchandise, or zone restricted merchandise, that is admitted into foreign trade zone and used by a common carrier for consumption or use in air transportation between 2 points in the state, for use tax purposes. -- HB0142 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then WAM
- HB0145 HD2 (HSCR 884) RELATING TO HIGHWAY SAFETY.  
Introduced by: Souki J, Awana K, Chong P, McKelvey A, Har S, Yamashita K, Ito K, Tsuji C  
Establishes the photo red light imaging detector system program (photo red light imaging system). Authorizes any county to implement the program to impose monetary liability on the operator of a motor vehicle for failure to comply with traffic signal laws. Requires fines and forfeitures to be distributed to the county where the fine was imposed and which shall be used for the establishment, operation, management, and maintenance of the system. Establishes procedures for summons or citations. Appropriation to the counties. (\$\$) -- HB0145 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA/ JGO/ then WAM
- HB0147 HD1 (HSCR 671) RELATING TO THEFT IN THE SECOND DEGREE.  
Introduced by: Say C  
Amends provisions relating to theft in the 2nd degree. Increases the value of stolen property or service constituting theft in the 2nd degree to \_\_\_\_ dollars. -- HB0147 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO
- HB0172 HD2 (HSCR 837) RELATING TO RECONSTITUTING SCHOOLS.  
Introduced by: Takumi R  
Establishes provisions relating to reconstituting schools. Authorizes the superintendent of education to reconstitute a school which has been in restructuring as defined by the No Child Left Behind Act, including replacing staff, entering into contracts to manage schools, and changing the membership of the school community council. Further authorizes the superintendent to recommend to the charter school review panel actions that should be taken to reconstitute a charter school. -- HB0172 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH/ LBR/ then WAM
- HB0179 RELATING TO SCHOOL FACILITIES.  
Introduced by: Takumi R  
Amends provisions relating to noise and climate control at school facilities under education law. Allows the department of education to require that the approximate cost of electricity and maintenance for air conditioners not installed by the department or department of accounting and general services be paid by a private entity until the department establishes temperature and noise standards.-- Further requires the department to be responsible for the repair and maintenance of donated equipment and fixtures. -- HB0179  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate

## HOUSE BILLS THAT PASSED THIRD READING

Mar=12 09 Multiple Referral to EDH then WAM

- HB0180 HD1 (HSCR 838) RELATING TO EDUCATION.  
Introduced by: Takumi R, Berg L  
Amends provisions relating to performance standards. Repeals the performance standards review commission. -- HB0180 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to EDH
- HB0183 HD1 (HSCR 958) RELATING TO EDUCATION.  
Introduced by: Takumi R  
Amends provisions relating to the powers and duties of the Hawaii teacher standards board. Authorizes the board to adopt, amending, repealing, or suspending the policies and standards of the board. Amends Act 263, session laws of 2007, by repealing the sunset date. -- HB0183 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to EDH
- HB0197 HD1 (HSCR 713) RELATING TO CONDOMINIUMS.  
Introduced by: Oshiro B  
Amends provisions relating to additions to and alterations of condominiums; placement of solar energy devices. Allows the board of directors of an association to install or permit the installation of solar energy devices and wind energy devices on the common elements of the project, including leasing or licensing the common elements for such installations. -- HB0197 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then CPN
- HB0214 HD1 (HSCR 726) AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR WAILUA EMERGENCY BYPASS ROAD REPAIR AND RESURFACING, AND WAIMEA WASTEWATER TREATMENT PLANT UPGRADES FOR THE COUNTY OF KAUAI.  
Introduced by: Say C (BR)  
Authorizes the issuance of general obligation bonds for appropriation for Wailua emergency bypass road and Waimea wastewater treatment plant. (\$\$) -- HB0214 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then WAM
- HB0233 HD1 (HSCR 678) RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT.  
Introduced by: Herkes R  
Amends provisions relating to revocation, suspension, and fine under real estate brokers and sales persons law. Allows the real estate commission to revoke or suspend a real estate licensee acquiring an ownership interest, directly or indirectly, or by means of a subsidiary or affiliate, in any distressed property that is listed with the licensee or within 365 days after the licensee's listing agreement for the distressed property is terminated. Redefines distressed property consultant to exclude a person licensed as a real estate broker or real estate sales person in Hawaii when acting in the capacity of a real estate broker or real estate salesperson; or a person with a license or permit to practice certified public accountancy when acting as a certified public accountant. -- HB0233 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO
- HB0242 HD1 (HSCR 842) RELATING TO AGRICULTURE.  
Introduced by: Tsuji C, Ito K, Magaoay M, Yamashita K, Wooley J, McKelvey A, Chang J, Morita H, Manahan J  
Authorizes the issuance of general obligation bonds for the planning, repair and modification of the Del Monte and Maui community college facilities to further the value added agricultural industry. Requires dollar for dollar match in federal funds, in cash, or by in kind donations by the private sector. (\$\$) -- HB0242 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL/ HRE/ then WAM
- HB0243 HD2 (HSCR 902) RELATING TO IRRIGATION SYSTEMS.  
Introduced by: Tsuji C, Ito K, Magaoay M, Nakashima M, McKelvey A, Yamashita K, Evans C, Tokioka J, Berg L, Herkes R, Wooley J, Chang J, Wakai G, Manahan J, Morita H  
Amends provisions relating to the irrigation repair and maintenance special fund to the agricultural infrastructure improvement special fund. Adds that moneys in the special fund be used for taro



## HOUSE BILLS THAT PASSED THIRD READING

farmers' irrigation system in Hanalei, Kauai and for agricultural water and land planning. Authorizes the issuance of general obligation bonds for appropriation to the department of agriculture to be deposited into the agricultural infrastructure improvement special fund for the repair and maintenance of west Kauai irrigation system, east Kauai irrigation system, Waimanalo irrigation system, Molokai irrigation system, upcountry Maui irrigation system, lower Hamakua ditch irrigation system, Waimea irrigation system, taro farmers' irrigation system in Hanalei, Kauai, and the agricultural water use development plan. These projects are deemed necessary to qualify for federal aid financing or reimbursement (\$\$) -- HB0243 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM

HB0244 HD1 (HSCR 714)

RELATING TO PUBLIC UTILITIES.

Introduced by: Tsuji C, Ito K, Evans C, Nakashima M, Herkes R, Yamashita K, Wakai G, Tokioka J, Manahan J, Morita H, McKelvey A

Amends provisions relating to preferential water rates for agricultural activities by repealing water. Authorizes the public utilities commission to establish preferential rates for ratepayers that engage in agricultural activities on lands within an agricultural district. Provides rates approved by the public utilities commission shall be for any public utility service including but not limited to potable water, electricity, and freight transport to be used only for qualified agricultural activities. Allows the public utilities commission, in consultation with the department of agriculture to establish additional criteria to qualify bona fide agribusinesses for public utility service used solely for agricultural activities. -- HB0244 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then CPN

HB0245 HD1 (HSCR 701)

RELATING TO RENEWABLE ENERGY FACILITIES.

Introduced by: Tsuji C, Ito K, Magaoay M, Yamashita K, Evans C, Nakashima M, Chang J, Wakai G, Manahan J, McKelvey A

Establishes provisions relating to conservation and agricultural districts; special management areas; allowed use. Allows a renewable energy facility within a conservation or agricultural district or special management area. Requires all agencies and authorities that issue permits or approvals for renewable energy facilities to adopt rules about the type, criteria for the appropriate siting, and mitigating protective measures of renewable energy facilities. Allows the energy resources coordinator to give priority to applications for this section. Defines renewable energy facilities to be facilities for wind energy, bio fuel processing, agricultural energy, and solar energy. -- HB0245 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WTL

HB0254 HD1 (HSCR 625)

RELATING TO PUBLIC UTILITIES.

Introduced by: Herkes R

Establishes provisions relating to local exchange intrastate services; fully competitive. Requires the public utilities commission to treat the State's local exchange intrastate services, under the commission's classification of services relating to costs, rates, and pricing, as fully competitive and apply all commission rules in accordance with that designation. -- HB0254 HD1

Current Status: Mar=06 09 Introduction/Passed First Reading - Senate  
Mar=10 09 Multiple Referral to EDT then CPN

HB0262 HD2 (HSCR 891)

RELATING TO INSURANCE FRAUD.

Introduced by: Herkes R

Repeals and replaces insurance fraud provisions. Transfers the insurance fraud investigations unit to the insurance fraud investigations branch. -- HB0262 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO

HB0267 HD2 (HSCR 716)

RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY.

Introduced by: Herkes R

Amends provisions relating to interisland shipping of vehicles; proof required. Provides that lessee of rental motor vehicles need not present identification, certificate of registration, or proof of rental motor vehicle insurance if the rental vehicle is transported by any water carrier authorized by the public utilities commission, the water carrier has a written agreement with the owner of the rental motor vehicle, and the water carrier records and retains the information required. -- HB0267 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then CPN

## HOUSE BILLS THAT PASSED THIRD READING

- HB0268 HD1 (HSCR 439) RELATING TO LAND COURT.  
Introduced by: Herkes R  
Amends provisions relating to entry record; duplicates and certified copies. Requires that the assistant registrar of the land court provide, within 10 days after the end of each week, and without charge, to the real property assessment administrator of the city and county of Honolulu an image and index of all instruments that contain real property transactions. Requires that the real property assessment administrator of the city and county of Honolulu provide copies of the images, without charge, to the real property assessment administrators of the other counties. -- HB0268 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO/ WAM/
- HB0269 HD1 (HSCR 591) RELATING TO REAL PROPERTY.  
Introduced by: Herkes R  
Amends provisions relating to copies of instruments, certificates. Requires that the registrar of the bureau of conveyances provide the real property assessment administrator of the city and county of Honolulu without charge, an image and index of all instruments and documents that have been recorded in the registrar's office during each week within 10 days after the end of each week. Requires that the administrator provide copies of the images, without charge, to the real property assessment administrators of the other counties. -- HB0269 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN/ TIA/ then WAM
- HB0271 RELATING TO REAL PROPERTY.  
Introduced by: Herkes R  
Establishes provisions relating to uniform property electronic recording act. Allows the registrar of the bureau of conveyances to accept electronic documents with electronic signatures for recording. -- HB0271  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO
- HB0272 HD1 (HSCR 834) RELATING TO THE HAWAII REGISTERED AGENTS ACT.  
Introduced by: Herkes R  
Establishes the Hawaii registered agents act. Allows any individual or a domestic or foreign entity to become listed as a commercial registered agent by filing with the department of commerce and consumer affairs. -- HB0272 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then WAM
- HB0274 RELATING TO PATRIOT DAY.  
Introduced by: Mizuno J, Brower T  
Establishes provisions relating to patriot day and month. Designates September 11th as patriot day and September as patriot month. -- HB0274  
Current Status: Mar=10 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to EDT
- HB0279 HD2 (HSCR 845) RELATING TO ENERGY.  
Introduced by: Morita H  
Establishes provisions relating to a renewable energy branch; establishment. Establishes the branch within the department of business, economic development, and tourism to coordinate renewable energy initiatives. -- Amends provisions relating to objectives and policies for facility systems, energy. Subject to approval from the governor, requires the energy resource coordinator to formulate a systematic process, development of requirements to identify geographic areas with renewable energy resource; develop and recommend incentive plans and programs to encourage the development of renewable energy resources projects; assist public and private agencies in identifying the utility transmission projects or infrastructure for renewable energy resources; assist public and private agencies in coordination with the department of budget and finance in accessing the use of revenue bonds; and develop the criteria or requirements for identifying and qualifying transmission projects or infrastructure. -- Establishes 7 full time temporary exempt positions within the department of business, economic development, and tourism. Appropriation to the energy security special fund and out of fund to pay for the positions. (\$\$) -- HB0279 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE/ EDT/ then WAM
- HB0281 HD3 (HSCR 846) RELATING TO ENVIRONMENT.

## HOUSE BILLS THAT PASSED THIRD READING

Introduced by: Morita H

Directs the department of business, economic development, and tourism to identify and develop a policy framework for action to seek partnerships and opportunities to address the need for a highly skilled and well trained "green collar" workforce to meet the needs of an emerging "green economy" sector. Establishes the emergency environmental workforce attached to the research corporation of the university of Hawaii. Requires the workforce to employ individuals who have been terminated or laid off as short term contract employees who shall be deployed with state or county agencies who have a need for environmental clearance and eradication services. Requires the corporation together with the Pacific cooperative studies unit to develop a planning, administration, implementation, and evaluation strategy. Appropriation out of federal funds received by the State from the American Recovery and Reinvestment Act of 2009 to the department of business, economic development, and tourism and the research corporation. (\$\$)

-- HB0281 HD3

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE/ HRE/ then WAM

HB0293 HD1 (HSCR 156)

RELATING TO PROTECTIVE PROCEEDINGS.

Introduced by: Say C (BR)

Amends provisions relating to protective proceeding. Allows family court to appoint a limited conservatorship when a minor is unable to manage property or business affairs effectively or because of another physical, mental or health impairment. -- HB0293 HD1

Current Status: Feb=13 09 Introduction/Passed First Reading - Senate  
Feb=18 09 Single Referral to JGO

HB0294 HD1 (HSCR 672)

RELATING TO PERSONAL LIABILITY OF TRUSTEE TO THIRD PARTIES.

Introduced by: Say C (BR)

Amends provisions relating to personal liability of trustee to 3rd parties. Provides that a trustee is not personally liable on contracts entered into as part of the trustee's fiduciary capacity unless the trustee fails to disclose the trustee's representative capacity and identify the trust estate in the contract. Allows any judgment obtained against the trustee in the trustee's fiduciary capacity to be collected against the trust estate. -- HB0294 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO

HB0302 HD1 (HSCR 6)

MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN.

Introduced by: Oshiro M

Appropriation to the senate and the house of representatives for session and nonsession expenses up to and including June 30, 2010, including the 2009 regular session. Expenses of the senate to be approved by the president and expenses of the house of representatives to be approved by the speaker. Requires the senate and the house of representatives to have their accounts audited and report to the senate and house of representatives respectively. Expenses for legislators while traveling abroad shall be 145 dollars a day. -- Appropriation to the auditor for the expenses of the office of the auditor. -- Appropriation to the office of the auditor to be deposited into the audit revolving fund. Appropriation out of the fund for the auditor to conduct or complete its audit functions. -- Appropriation to the legislative reference bureau for defraying expenses. -- Appropriation to the office of the ombudsman for defraying expenses. -- Appropriation to the senate and the house of representatives for defraying the expenses of the legislative information system. -- Appropriation to the legislature for the legislative broadcast program. (\$\$) -- HB0302 HD1

Current Status: Feb-12 09 Received by the Governor  
Feb-18 09 Approved by Governor (Act 1 2009)

HB0310 HD2 (HSCR 925)

RELATING TO MEDICAL TORTS.

Introduced by: Herkes R, McKelvey A, Yamane R

Amends provisions relating to subsequent litigation; excluded evidence. Provides that a claimant who rejects the decision of a medical claim conciliation panel on a claim and subsequently institutes litigation based upon the claim, shall be liable for the health care provider's attorneys' fees and costs and the provider's time in preparing for and attending any court hearings, unless the litigation results in an award of more than 200 per cent of the damages awarded by the medical claim conciliation panel. Provides that a claimant who rejects the panels' finding that the health care provider was not negligent and institutes litigation shall be liable for the attorney's fees and costs of all defendants to the action unless the litigation results in a judgment in favor of the claimant. -- HB0310 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then JGO

## HOUSE BILLS THAT PASSED THIRD READING

- HB0311 HD1 (HSCR 947) RELATING TO LIQUOR.  
Introduced by: Herkes R  
Amends provisions relating to notification of hearing, service; tax clearance before procuring liquor licenses; and intoxicating liquor laws. -- HB0311 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then CPN
- HB0317 HD1 (HSCR 905) RELATING TO MOBILE MEDICAL CARE.  
Introduced by: Herkes R, Evans C, Tsuji C, Nakashima M, Hanohano F, Coffman D, Chang J  
Requires the Kona community hospital to acquire a mobile medical van to be based at the hospital to provide basic medical clinical services to the South Kona, Ka'u (Kau), and upper Puna areas of the county of Hawaii. Authorizes a federal fund ceiling increase for the department of agriculture to accommodate federal funds received under the Homeland Security Grant Program. Appropriation out of the federal funds received under the Homeland Security Grant Program to the department of land and natural resources in coordination with the department of health. (\$\$)  
-- HB0317 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH/ PSM/ then WAM
- HB0318 HD1 (HSCR 843) RELATING TO VOG.  
Introduced by: Herkes R, Evans C, Tsuji C, Nakashima M, Hanohano F, Coffman D, Chang J  
Requires the department of agriculture in consultation with the university of Hawaii college of tropical agriculture and human resources to conduct comprehensive research to determine the best methods for employing vog treatments to prevent vog damage to plants and find specific varieties of crops more resistant to the effects of vog. -- Authorizes a federal fund ceiling increase for the department of agriculture to accommodate federal funds received under the Homeland Security Grant Program. Appropriation out of federal funds received under the Homeland Security Grant Program. (\$\$) -- HB0318 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL/ HRE/ then WAM
- HB0319 HD1 (HSCR 718) RELATING TO FAMILY LEAVE.  
Introduced by: Lee M, Thielen C, Belatti D, Mizuno J, Cabanilla R, Brower T, Nakashima M, Pine K, Hanohano F, Luke S, Awana K, Keith-Agaran G, Har S  
Establishes provisions relating to notification of rights under family leave law. Requires employers to post and keep posted, notices informing employees of their rights with respect to caring for a seriously ill family member and relating to possible adverse impacts taking of family leave may have on any other employee rights, entitlements, or benefits provided by the employer.  
-- HB0319 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to LBR
- HB0332 HD2 (HSCR 930) RELATING TO EMPLOYMENT SECURITY.  
Introduced by: Lee M, Marumoto B, Morita H, Hanohano F, Luke S, Berg L, Shimabukuro M, Carroll M, Pine K, Wooley J, Thielen C, Belatti D, Finnegan L  
Establishes provisions relating to eligibility of benefits for domestic or sexual violence victims under the Hawaii employment security law. Prohibits victims of domestic or sexual violence to be denied benefits where the individual is separated voluntarily or involuntarily from employment. Allows the department of labor and industrial relations to require an individual to provide certification demonstrating that the individual's failure to accept otherwise suitable, available work is due to an unreasonable risk of violence. Prohibits information provided to the department to be disclosed except to the extent that disclosure is requested or consented to by the employee, ordered by court or administrative agency, or otherwise required by applicable federal or state law. -- HB0332 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to LBR/ HMS/
- HB0333 HD2 (HSCR 782) RELATING TO TAXATION.  
Introduced by: Lee M, Morita H, Pine K, Wooley J, Hanohano F, Shimabukuro M, Berg L, Thielen C, Belatti D, Luke S  
Establishes provisions relating to tax preparation; earned income tax credit. Prohibits person in the business of preparing or providing services for preparing tax returns to charge more than \_\_\_\_ per cent interest for any tax preparation service to clients who are recipients of state earned income tax credit. -- Provides an earned income tax credit of \_\_\_\_ per cent of the federal earned income tax credit determined under section 32 of the Federal Internal Revenue Code. Requires the director of taxation with the director of human services to calculate the value of the tax credit

## HOUSE BILLS THAT PASSED THIRD READING

and requires the director of human services to transfer temporary assistance for needy families funds to the director of taxation to pay for the refundable tax credits. Appropriation out of the temporary assistance for needy families funds (TANF) to pay the tax credit. Appropriation to the department of taxation to pay for public service announcements to inform the public about the tax credit. (\$\$) -- HB0333 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS then WAM

HB0343 HD1 (HSCR 52)

RELATING TO RURAL PRIMARY HEALTH CARE TRAINING.

Introduced by: Chang J, Herkes R, Evans C, Magaoay M, Lee M, Chong P, Oshiro B, Sagum R, Hanohano F, Coffman D, Ito K, Bertram J, Carroll M, Tsuji C, Shimabukuro M, McKelvey A  
Appropriation to the university of Hawaii John A. Burns school of medicine to support and expand the family medicine residency program of the department of family medicine and community health to provide rural primary healthcare services and to develop a statewide rural primary healthcare training program in each county, beginning in the county of Hawaii to provide family physicians to rural areas and to improve healthcare access. (\$\$) -- HB0343 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH/ HRE/ then WAM

HB0345

RELATING TO CAMPAIGN SPENDING.

Introduced by: Chang J, Bertram J, Tsuji C, Coffman D, Herkes R, Evans C  
Amends Act 244, session laws of 2008, relating to comprehensive public funding of Hawaii county council elections. Delays starting date from 2010 to 2014. -- HB0345

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to JGO then WAM

HB0347 HD2 (HSCR 799)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Chang J, Nakashima M, Tsuji C, Magaoay M, Bertram J, Hanohano F, McKelvey A

Amends provisions relating to public procurement code. Exempts contracts made by the university of Hawaii or the board of regents of the university of Hawaii. -- Amends provisions relating to powers of regents; official name. Exempts the board of regents of the university of Hawaii from the Hawaii public procurement code, except from provisions relating to preferences and the wages, procurement of professional services, and hours of employees on public works law. Act to be repealed on July 1, 2012 (sunset). -- HB0347 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HRE then JGO

HB0349 HD1 (HSCR 626)

RELATING TO THE HAWAII RULES OF EVIDENCE.

Introduced by: Tsuji C

Amends provisions relating to rules of evidence; character evidence. Provides that when an alleged victim's trait of character for aggressiveness is introduced and admitted in trial by the defense, the prosecution may admit evidence of the same trait of character in the accused. -- HB0349 HD1

Current Status: Mar=06 09 Introduction/Passed First Reading - Senate  
Mar=10 09 Single Referral to JGO

HB0355 HD1 (HSCR 295)

RELATING TO CONDOMINIUMS.

Introduced by: Cabanilla R

Amends provisions relating to condominiums law. Provides that any late fee for past due common expenses shall not exceed 20 per cent of the monthly maintenance fee. Requires the late fee to be assessed monthly and may be charged for every month that any past due common expense assessment remains unpaid. Requires the association give the delinquent owner written notice of any delinquency at least 10 days before taking any action for which attorney fees may be assessed. -- HB0355 HD1

Current Status: Mar=10 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to CPN

HB0358 HD1 (HSCR 435)

RELATING TO DRUG TREATMENT.

Introduced by: Cabanilla R

Amends provisions relating to definitions of terms under the disposition of convicted defendants law. Authorizes placement of certain offenders in a secure drug treatment facility. Defines secure drug treatment facility as a facility employing security protocols modeled after a minimum security detention center including continuous direct supervision. -- HB0358 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then JGO

## HOUSE BILLS THAT PASSED THIRD READING

- HB0361 HD1 (HSCR 667) RELATING TO AFFORDABLE HOUSING.  
Introduced by: Cabanilla R, Herkes R, Chong P, Thielen C, Har S  
Amends provisions relating to housing development; exemption from statutes, ordinances, charter provision, and rules. Requires that state and county agencies issue any ministerial permits within 45 days from the time of application, provided that the review procedure for ministerial permits performed by any state or county agency is limited to not more than 2 comprehensive reviews. Defines ministerial permits as any nondiscretionary permit for which the permit administrator needs to determine only conformity with applicable ordinances before approving the project. -- HB0361 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH/ TIA/ then WTL
- HB0363 HD2 (HSCR 800) RELATING TO AFFORDABLE HOUSING.  
Introduced by: Cabanilla R  
Amends provisions relating to land use density and infrastructure; low income rental units by changing it to incentives and infrastructure. Requires the counties to provide incentives for the development of affordable housing that may include, but not limited to, density bonuses, height waivers, cluster zoning, greater design flexibility, waiving, waiving water and sewer connection fees, waiving public facilities set asides and fees, priority infrastructure financing, and site flexibility. -- HB0363 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH then TIA
- HB0365 HD1 (HSCR 648) RELATING TO CONTRACTORS.  
Introduced by: Coffman D, Herkes R, Evans C, Say C, Oshiro B  
Amends provisions relating to exemptions under contractors law. Exempts any project or operation for which the contract price for labor does not exceed more than 1,000 dollars, exclusive of materials, taxes, and all other items. -- HB0365 HD1  
Current Status: Mar=06 09 Introduction/Passed First Reading - Senate  
Mar=10 09 Multiple Referral to LBR then CPN
- HB0366 HD2 (HSCR 703) RELATING TO MANTA RAYS.  
Introduced by: Coffman D, Morita H, Hanohano F  
Establishes provisions relating to manta rays, prohibitions; penalties and fines. Prohibits all persons from capturing or killing manta rays within state marine waters. Establishes fines and penalties. Allows special activity permits. -- HB0366 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then JGO
- HB0370 HD2 (HSCR 847) RELATING TO TAXATION.  
Introduced by: Tokioka J, Nakashima M, Evans C, Tsuji C, Chang J, Morita H, Hanohano F, Herkes R, Carroll M, McKelvey A  
Amends provisions relating to fuel tax. Reduces the tax for diesel oil sold for use in electric power generation by a power generating facility regulated by the public utilities commission to 1 cent. -- HB0370 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WAM
- HB0371 HD2 (HSCR 848) RELATING TO TAXATION.  
Introduced by: Tokioka J, Morita H, Nakashima M, Evans C, Tsuji C, Hanohano F, McKelvey A, Carroll M, Herkes R  
Amends Act 103, session laws of 2007, which adds a tax of 1 cents for each gallon of naphtha sold for use in a power generating facility, by repealing the sunset date. -- HB0371 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WAM
- HB0378 HD1 (HSCR 289) RELATING TO TRANSPORTATION.  
Introduced by: Souki J, Awana K  
Amends provisions relating to contracts for concessions; bid required, exception. Exempts security concession or security operation at airports from contract bidding requirements. -- HB0378 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then JGO/ WAM/
- HB0381 HD2 (HSCR 868) RELATING TO THE STATE OF HAWAII ENDOWMENT FUND.  
Introduced by: Oshiro M

## HOUSE BILLS THAT PASSED THIRD READING

Amends Act 97, session laws of 2006, as amended by Act 156, session laws of 2007, providing an appropriation to the endowment fund for the production of music by an Oahu based symphony orchestra, by providing that all pledges or portions of pledges not collected by February 28, 2013, shall cause any unexpended or unencumbered balance from the appropriation to revert to the general fund. (\$\$) -- HB0381 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDT then WAM

HB0382 HD1 (HSCR 669)

RELATING TO STATE TORT LIABILITY.

Introduced by: Oshiro M

Establishes provisions relating to notification of class action. Prohibits filing unless written notification of a class action or de facto class action law suit is provided to the governor, president of the senate, speaker of the house of representatives prior to filing. -- HB0382 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO

HB0395 HD1 (HSCR 839)

RELATING TO EARLY LEARNING.

Introduced by: Wooley J, Berg L, Takumi R, Ito K, Tsuji C, Evans C, McKelvey A, Magaoay M, Manahan J, Pine K, Nishimoto S, Yamashita K, Morita H, Carroll M, Takai K, Belatti D, Lee C, Brower T, Nakashima M, Wakai G, Shimabukuro M, Luke S, Hanohano F, Mizuno J

Provides that for appropriations for comprehensive student support services (EDN 150) that are designated for the early learning system that are unexpended or unencumbered shall lapse into the keiki 1st steps trust fund. -- HB0395 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH/ HMS/ then WAM

HB0413 HD1 (HSCR 874)

RELATING TO PUBLIC SAFETY.

Introduced by: Hanohano F, Aquino H, Takumi R, Lee M

Establishes provisions relating to residential drug abuse program. Requires the department of public safety to establish a residential drug abuse program for the treatment and community reintegration of nonviolent offenders who have a history of drug or alcohol abuse, are in the custody of the State, and have been certified as graduates of the in facility phase of a residential drug abuse program. -- HB0413 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then WAM

HB0425 HD1 (HSCR 475)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING, LLC PROJECTS ON OAHU.

Introduced by: Morita H, Thielen C, Chong P, Lee C, Coffman D

Amends Act 111, session laws of 2004, by changing the sunset date to June 30, 2014. -- HB0425 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WAM

HB0426 HD1 (HSCR 849)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU.

Introduced by: Morita H, Thielen C, Chong P, Lee C, Coffman D

Authorizes the issuance of special purpose revenue bonds to assist Honolulu Seawater Air Conditioning LLC, a Hawaii company, in designing and constructing the district cooling project. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0426 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WAM

HB0427 HD1 (HSCR 476)

RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE.

Introduced by: Morita H, Coffman D, Thielen C, Chong P, Lee C

Authorizes the issuance of special purpose revenue bonds to assist One Planet Pacific Energy, LLC with the planning, designing, construction, and equipping of, and the acquisition of lands for, a gasification facility adjoining the construction and demolition material solid waste landfill located in Nanakuli, Oahu, Hawaii. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0427 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WAM

HB0442

RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD.

## HOUSE BILLS THAT PASSED THIRD READING

- Introduced by: Lee M, Yamashita K  
Amends provisions relating to labor and industrial relations appeals board. Authorizes the appeals board to appoint, set the duties and compensation and provide for reimbursement of actual and necessary expenses incurred by the hearing officer. -- HB0442  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to LBR
- HB0444 HD1 (HSCR 157) RELATING TO CIVIL UNIONS.  
Introduced by: Oshiro B, Say C, Karamatsu J, Chong P, Lee C, Coffman D, Thielen C, Takumi R, Carroll M, Berg L, Bertram J, Saiki S, Luke S, Nishimoto S, Belatti D, Tsuji C, Yamashita K, Yamane R, Keith-Agaran G, Takai K, Morita H, Wakai G, Hanohano F, Nakashima M, Rhoads K, Brower T, Oshiro M, Lee M  
Establishes the civil union law. Authorizes judges and retired judges including federal judges and judges of other states who may legally join persons in marriage or a civil union, to join 2 people of the same sex by solemnization in a civil union. Further authorizes ordained or licensed members of the clergy to join persons by solemnization in a civil union. Provides that the partners to a civil union shall have the same rights and obligations under the law that are conferred on spouses in a marriage relationship. Provides that reference to marriage shall apply equally to civil unions. -- HB0444 HD1  
Current Status: Feb=13 09 Introduction/Passed First Reading - Senate  
Feb=18 09 Single Referral to JGO
- HB0447 HD1 (HSCR 480) RELATING TO PAYDAY LENDING.  
Introduced by: Belatti D, Luke S, Wakai G, Brower T, Lee C, Lee M  
Establishes provisions relating to check cashing payment plans. Allows a check casher to enter into a payment plan for 90 days with a customer who is not in default where no interest may be charged. Provides that deferred deposit agreement with a customer shall commence within 30 days after the completion of any other payment plan. Requires a check casher to offer interest free payment plan with a minimum term of 60 days to any customer who is in default. Amends provisions relating to the posting and notice of fees charged by adding the fees and annual percentage rate for deferred deposits. Repeals exemption for any person who is principally engaged in retail sale of goods or services. -- HB0447 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to CPN
- HB0519 HD1 (HSCR 583) RELATING TO INMATES.  
Introduced by: Say C, Hanohano F  
Amends provisions relating to development or expansion of in state correctional facilities. Requires the department of public safety to develop and expand in state facilities in order to return all out of state inmates to Hawaii prisons by December 31, 2015. -- HB0519 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then WAM
- HB0520 HD1 (HSCR 665) RELATING TO BUILDINGS.  
Introduced by: Say C  
Amends provisions relating to historic preservation. Repeals provision which required the taking of photographs of an actual or potential historic building before demolition, construction, or alteration of the building could occur. -- HB0520 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to EDT
- HB0541 HD1 (HSCR 944) RELATING TO CIVIL SERVICE PERSONNEL.  
Introduced by: Takumi R  
Amends Act 221, session laws of 2005, which establishes provisions relating to civil service benefits for civil service employees of the department of education and requires that as of July 1, 2005 personnel of the department of education shall have the benefits relating to transfer, reduction in force, medical placement, and seniority as members of the executive civil service system or as provided in collective bargaining agreements, by extending the sunset date to June 30, 2012. -- HB0541 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to LBR/ EDH/ then WAM
- HB0553 HD2 (HSCR 459) RELATING TO MEDICAL ENTERPRISE ZONES.  
Introduced by: McKelvey A, Carroll M, Manahan J, Souki J  
Establishes the medical enterprise zones law. Requires the department of business, economic development, and tourism to monitor the implementation and operation of this law; conduct a



## HOUSE BILLS THAT PASSED THIRD READING

continuing evaluation program of the medical enterprise zones; and assist the counties in obtaining the reduction of rules within medical enterprise zones. Annual reports to the legislature and the governor. Provides income tax credits for and general excise tax and use tax exemptions for qualified medical or research facility. Allows the counties to offer incentives. -- Requires the governing body of Maui to transmit to the director of health a description of a proposed location in west Maui as a pilot medical enterprise. Requires the department in consultation with the department of taxation to report to the legislature. Act to be repealed on February 28, 2017 (sunset). -- HB0553 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDT/ HTH/ then WAM

HB0556 HD2 (HSCR 773)

### RELATING TO VETERAN BURIAL GRANTS.

Introduced by: McKelvey A, Manahan J, Souki J

Establishes provisions relating to disbursement of World War II Filipino veterans burial grant funds. Provides that the office of veterans' services shall receive, review, and, as appropriate, approve requests for payments to provide funeral and burial services for a New Filipino Scout who died after June 30, 2004; and transporting the remains of a New Filipino Scout to the Philippines. Defines New Filipino Scout to mean a Filipino veteran who served during World War II, enlisted in the New Filipino Scouts between October 6, 1945, and June 30, 1947, and who at the time of the veteran's death, was a US citizen and a resident of Hawaii. Appropriation. (\$\$) -- HB0556 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then WAM

HB0560 HD2 (HSCR 774)

### RELATING TO VETERANS SERVICES.

Introduced by: McKelvey A, Evans C, Morita H, Carroll M

Establishes provisions relating to veterans' services liquor tax; disposition of revenues. Imposes an additional tax on persons subject to the gallonage tax and deposits the moneys collected to the credit of the veterans' services special fund. Requires the department of taxation to annually report to the legislature. -- Establishes provisions relating to the veterans' services special fund; use of funds. Establishes the fund which shall be administered by the director of the office of veterans' services to provide positions and programs in the office. -- HB0560 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then WAM

HB0570 HD1 (HSCR 681)

### RELATING TO COASTAL ZONE MANAGEMENT.

Introduced by: Chong P, Yamashita K, Keith-Agaran G, Har S, Oshiro B, Magaoay M

Amends provisions relating to public access. Changes the requirement of public access by right of way for final approval of a subdivision to be a requirement on the landowner or development instead of the subdivider or developer. Requires the counties to ensure reasonable street parking near public access areas in the special management area. Amends provisions relating to coastal zone management program. Adds that the protection of valuable coastal ecosystem, includes beaches and dunes and that reduction of hazard to life and property from coastal hazards, includes tsunami, hurricanes, wind and sea level rise. -- Amends provisions relating to special management area guidelines. Defines the department as the planning departments of the counties of Kauai, Maui, and Hawaii, and the department of planning and permitting of the city and county of Honolulu. -- Amends provisions relating to the establishment of shoreline setbacks and duties and powers of the department. Requires the shoreline setback to use a method including but not limited to the average annual shoreline erosion rate, where appropriate, in addition to the minimum distance of 20 feet inland from the shoreline. -- HB0570 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WTL/ TIA/

HB0573 HD1 (HSCR 727)

### RELATING TO EMERGENCY AND BUDGET RESERVE FUND.

Introduced by: Chong P, Oshiro M, Yamashita K, Rhoads K, Lee M, Har S, Brower T, Oshiro B, Magaoay M

Amends provisions relating to the emergency and budget reserve fund (rainy day fund). Requires the director of finance at the close of the fiscal year to deposit \_\_\_\_ per cent of the general fund balance carryover cash surplus into the emergency and budget reserve fund. -- HB0573 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM

HB0574 HD2 (HSCR 850)

### RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.

Introduced by: Chong P, Yamashita K, Har S, Oshiro B, Magaoay M

Amends provisions relating to reverse vending machine rebate program; standards. Requires the department of health to provide \_\_\_\_ per cent rebates for the actual cost of each reverse

## HOUSE BILLS THAT PASSED THIRD READING

vending machine and up to \_\_\_\_ per cent of the operating cost during the 1st 2 years for each reverse vending machine purchased by a person. Provides that a rebate to be granted for a reverse vending machine that is installed and operational by June 30, 2012. Amends Act 228, session laws of 2006 as amended by Act 231, session laws of 2006. Extends the sunset date to June 30, 2014. Appropriation out of the deposit beverage container deposit special fund to the city and county of Honolulu, Hawaii county, Maui county, and Kauai county for grants in aid to plan and operate county recycling programs. (\$\$) -- HB0574 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE/ TIA/ then WAM

HB0586 HD1 (HSCR 165)

RELATING TO THE KANEOHE BAY REGIONAL COUNCIL.

Introduced by: Ito K (BR)

Repeals Kaneohe Bay regional council. Requires the department of land and natural resources to continue to exercise full force and effect with respect to all plans, programs, or other policies adopted by the council, until the council is repealed. -- HB0586 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM

HB0588 HD1 (HSCR 755)

RELATING TO COUNTIES.

Introduced by: Ito K, Har S, Sagum R, Herkes R, Nishimoto S, Marumoto B, Chang J, Evans C, Magaoay M, Thielen C, Awana K, Tsuji C, Morita H, Brower T, McKelvey A

Amends provisions relating to additional powers of counties. Authorizes a county board of a county of at least 500,000 people to issue revenue bonds in its own name if so authorized under the county charter. -- HB0588 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then WAM

HB0589 HD1 (HSCR 683)

RELATING TO RENEWABLE ENERGY FACILITIES.

Introduced by: Ito K, Herkes R, Har S, Thielen C, Chang J

Amends provisions relating to renewable energy facilities. Establishes provisions for the exemption of renewable energy facilities from subdivision requirements. -- HB0589 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE/ TIA/ then WTL

HB0590 HD1 (HSCR 684)

RELATING TO RENEWABLE ENERGY FACILITIES.

Introduced by: Ito K, Chang J, Herkes R, Har S, Thielen C, Ching C, Tokioka J

Amends provisions relating to a permit plan for renewable energy facilities. Provides that if a permit is not approved or denied within 12 months after approval of a completed permit plan application, the permitting agency within 30 days following the end of the 12 month period shall provide the energy resources coordinator with a report identifying diligent measures that are being taken by the agency to complete processing and take action as soon as practicable. Allows the coordinator to deem the permit approved if no further processing and action are reported by the permitting agency within 5 months. -- HB0590 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE/ TIA/ then JGO

HB0591 HD1 (HSCR 715)

RELATING TO PUBLIC UTILITIES.

Introduced by: Ito K, Tsuji C, Har S, Sagum R, Tokioka J, Thielen C, Ching C, Chang J, Herkes R

Establishes provisions relating to preferential renewable energy rates; agricultural activities. Allows the public utilities commission to establish preferential rates for the purchase of renewable energy produced in conjunction with agricultural activities. Requires a public utility to forward request for preferential rates to the commission for approval. -- HB0591 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL/ ENE/ then CPN

HB0593 HD2 (HSCR 954)

RELATING TO SHORELINE SETBACKS.

Introduced by: Ito K, Sagum R, Lee C, Coffman D, Luke S, Thielen C, Cabanilla R, Morita H, Ching C

Establishes provisions relating to a construction moratorium. Allows the department of land and natural resources to establish an interim coastal construction moratorium along the length of Kailua beach where there shall be no new development makai of the coastal construction line. The moratorium will expire in 2 years (sunset) after establishment or upon the determination of the department that it is no longer appropriate. Requires the department and the university of Hawaii to make recommendations to the legislature for future actions for the protection and management of Kailua beach. -- HB0593 HD2

## HOUSE BILLS THAT PASSED THIRD READING

	Current Status: Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Single Referral to WTL
HB0595	RELATING TO THE ENVIRONMENT. Introduced by: Ito K, Evans C, McKelvey A, Nishimoto S, Tsuji C, Carroll M, Marumoto B Changes Ocean Day to World Ocean Day. -- HB0595 Current Status: Mar=05 09 Introduction/Passed First Reading - Senate Mar=05 09 Single Referral to WTL/ ENE/
HB0601 HD2 (HSCR 869)	RELATING TO THE WORKS OF ART SPECIAL FUND. Introduced by: Yamashita K, Yamane R, Tsuji C, Oshiro M, Manahan J, Chong P Amends provisions relating to works of art special fund. Changes the amount of all state fund appropriations for capital improvements to be designated for the works of art special fund to ____ per cent. Allows up to ____ per cent of funds in the special fund to be used for capital improvement projects, the purchase of facilities, and for the repair and maintenance of facilities dedicated to the culture and the arts. -- HB0601 HD2 Current Status: Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to EDT/ JGO/ then WAM
HB0602	RELATING TO WORKERS' COMPENSATION. Introduced by: Yamashita K, Yamane R, Tsuji C, Keith-Agaran G, Awana K, Oshiro B, McKelvey A, Har S, Chong P, Ito K, Karamatsu J Amends provisions relating to employment under workers' compensation law. Redefines employment to not include service performed by a member of a limited liability company if the member is an individual and has a distributional interest of at least 50 per cent in the company provided that no employer requires an employee to form a limited liability company as a condition of employment. Prohibits service performed by a partner of a partnership if the partner is an individual and service performed by a partner of a limited liability partnership if the partner is an individual and has a transferable interest in the partnership of at least 50 per cent. Prohibits service performed by a sole proprietor. -- HB0602 Current Status: Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to LBR then CPN
HB0610 HD2 (HSCR 775)	RELATING TO SCIENCE AND TECHNOLOGY. Introduced by: Yamashita K, Tsuji C, Keith-Agaran G, Yamane R, Oshiro B, Chong P, Awana K, Chang J, Ito K, Manahan J Establishes the Hawaii state science and technology task force within the high technology development corporation. Requires the task force to develop a plan for the direction of science and technology in Hawaii. Reports to the legislature every 5 years. Appropriation. (\$\$) -- HB0610 HD2 Current Status: Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to EDT then WAM
HB0611 HD1 (HSCR 745)	RELATING TO TAXATION. Introduced by: Chong P, Say C, Yamashita K, Lee M Establishes provisions relating to erroneous claim for tax refunds or credits. Establishes penalty. -- Establishes provisions relating to tax credits and exemptions; evaluation; report. Requires the department of taxation to evaluate tax credits and tax exemptions and report to the legislature in 2011 for credits and exemptions that will be repealed on December 31, 2011, in 2012 for credits and exemptions that will be repealed on December 31, 2012, and in 2013 for credits and exemptions with will be repealed on December 31, 2013. Establishes repeal dates for tax credits and exemptions (sunset). Appropriation for ____ permanent full time equivalent (FTE) positions and to reimburse state agencies for costs incurred. (\$\$) -- HB0611 HD1 Current Status: Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Single Referral to WAM
HB0615 HD1 (HSCR 154)	RELATING TO HARASSMENT. Introduced by: Karamatsu J, Oshiro B, Tsuji C, Herkes R, McKelvey A, Ito K, Cabanilla R, Carroll M, Morita H Amends provisions relating to harassment. Establishes that the definition of harassment includes any form of digital communication. -- HB0615 HD1 Current Status: Feb=13 09 Introduction/Passed First Reading - Senate Feb=18 09 Multiple Referral to EDT then JGO
HB0617 HD2 (HSCR 885)	RELATING TO MASS TRANSIT ROUTE ECONOMIC ZONES. Introduced by: Karamatsu J, Tsuji C, Evans C, Wooley J, Aquino H

## HOUSE BILLS THAT PASSED THIRD READING

- Establishes the temporary mass transit route economic zone task force within the department of business, economic development, and tourism. Requires the task force to examine the concept and feasibility of establishing the zones proximate to the routes of any mass transit system on the island of Oahu. Report to the legislature. Task force to terminate on June 30, 2010 (sunset). -- HB0617 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA/ EDT/ EDH/ then WAM
- HB0618 RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT.  
Introduced by: Karamatsu J  
Repeals the uniform management of institutional funds act and replaces it with the uniform prudent management of institutional funds act. -- HB0618  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO
- HB0622 HD1 (HSCR 155) RELATING TO HARASSMENT.  
Introduced by: Karamatsu J, Tsuji C, Herkes R, McKelvey A, Cabanilla R, Carroll M, Morita H, Ito K  
Amends provisions relating to harassment by stalking. Redefines nonconsensual contact as any form of digital communication. -- HB0622 HD1  
Current Status: Feb=13 09 Introduction/Passed First Reading - Senate  
Feb=18 09 Multiple Referral to EDT then JGO
- HB0623 HD1 (HSCR 372) RELATING TO STATE IDENTIFICATION.  
Introduced by: Karamatsu J, Oshiro B, Tsuji C, Herkes R, Ito K, Cabanilla R, Carroll M, McKelvey A, Morita H, Belatti D  
Establishes provisions for state identification; contracts with State to process and issue. Allows the attorney general to contract with a county to process and issue state identification cards. Allows a county to use county facilities to carry out state identification administration. -- HB0623 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then JGO
- HB0625 HD1 (HSCR 811) RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES.  
Introduced by: Karamatsu J (BR)  
Amends provisions relating to a surcharge for indigent legal services. Increases the surcharge fee added to initial filing fees to 65 dollars. Requires that 70 per cent of the funds be distributed to organizations that meet criteria for serving indigent people. Requires that an additional 30 per cent of the funds be distributed to organizations who expended 100,000 dollars in the prior year for civil legal services to indigent persons. -- HB0625 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to JGO then WAM
- HB0632 HD1 (HSCR 724) RELATING TO POLICY ADVISORY BOARD ON VETERANS' SERVICES.  
Introduced by: Evans C, McKelvey A  
Amends provisions relating to advisory board on veterans services; appointment and duties. Requires the governor to ensure that members appointed to the policy advisory board on veterans' service represent all minority viewpoints, including issues of concern to women veterans. -- HB0632 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to PSM
- HB0638 HD1 (HSCR 484) RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE.  
Introduced by: Evans C  
Amends provisions relating to competitive sealed bidding. Allows the procurement officer to dismiss the protest if the amount of the bid of the competing bidder is due to an error that is less than 1 per cent of the bid amount. -- Amends administrative proceedings for review. Allows proceedings to be initiated by any bidder, offeror, contractor or person that is party to a protest of a solicitation or award of a contract provided that the protest is more than 10 percent of the value of the contract and the party initiating the proceedings shall pay to the department of commerce and consumer affairs a cash or protest bond equal to 1 per cent of the value of the contract if the total value of the contract is more than 1 million dollars, provided that the amount of the cash or protest bond not be more than 50,000 dollars. Provides that if the initiating party prevails in the administrative proceeding, the cash or protest bond shall be returned to that party and if the initiating party does not prevail in the administrative proceeding, 50 per cent of the cash or protest bond shall be deposited into the compliance resolution fund and 50 per cent shall be

## HOUSE BILLS THAT PASSED THIRD READING

deposited into the general fund. -- HB0638 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO

HB0640 HD1 (HSCR 691)

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.

Introduced by: Magaoay M, Ito K, Chang J, Tokioka J, Awana K, Har S

Establishes provisions relating to exception to applicability of chapter under environmental impact statements law. Provides that any primary action that requires a permit or approval from an approving agency that is not subject to the discretionary consent of the approving agency and that involves a secondary action limited to installation, improvement, renovation, construction, or development of infrastructure within an existing public right of way or highway to be exempt from an environmental assessment; provided that the infrastructure is not within an existing public right of way or highway; or have a significant effect on the environment. Act to be repealed on July 1, 2011 (sunset). -- HB0640 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE/ TIA/ then JGO

HB0643 HD2 (HSCR 377)

RELATING TO CONTRACTORS.

Introduced by: Magaoay M, Ito K, Chang J, Awana K, Herkes R, Tokioka J, Har S, Karamatsu J

Amends provisions relating to revocation, suspension, and renewal of license under contractors law. Authorizes the Hawaii contractors license board to revoke any license or suspend the right of a licensee to use a license, or refuse to renew a license to a contractor who knowingly or intentionally employs a person under a contract under wages and hours of employees on public works law, who is not eligible to work in the US. -- HB0643 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN/ LBR/ then JGO

HB0645 HD2 (HSCR 948)

RELATING TO KAENA POINT.

Introduced by: Magaoay M

Requires the department of land and natural resources to establish a pilot program to issue annual passes to residents that allow overnight fishing at Kaena point. Report to the legislature. Act to be repealed on July 1, 2011 (sunset). -- HB0645 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WTL

HB0654 HD1 (HSCR 679)

RELATING TO CONTRACTORS.

Introduced by: Carroll M, Awana K, Luke S, Belatti D, Saiki S, Berg L, Sagum R, Coffman D, Hanohano F

Amends provisions relating to citation for unlicensed activity. Requires the investigator to issue a citation to a person whom the investigator personally observes and determines is acting in the capacity of, or engaging in business of, a contractor within the State, without having a license in good standing. Requires an unlicensed person to cease all work immediately after the issuance of a citation and not resume until a hearing is conducted and the person cited holds the licenses required. Amends violations and penalties for any person without a license in good standing who violates or fails to comply with a cease and desist order. Increases penalties. -- HB0654 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO

HB0658 HD1 (HSCR 776)

MAKING AN APPROPRIATION FOR THE MAUI OFFICE OF VETERANS' SERVICES.

Introduced by: Carroll M

Appropriation to the office of veterans' services for 1 additional veterans' counselor position for the Maui office of veterans' services. (\$\$) -- HB0658 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then WAM

HB0685 HD2 (HSCR 875)

RELATING TO THE STATE FIRE COUNCIL.

Introduced by: Yamane R, McKelvey A, Evans C, Tsuji C, Hanohano F, Ito K

Amends provisions relating to state fire council. Allows that the state fire council may employ an administrator and administrative assistant exempt from civil service and collective bargaining laws. Allows that the administrator shall administer the affairs of the council, subject to the approval of the council. Requires that the budget for the state fire council, including the salaries of the administrator and administrative assistant, be included in the budget of the department of labor and industrial relations. -- HB0685 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then WAM

## HOUSE BILLS THAT PASSED THIRD READING

- HB0686 HD1 (HSCR 876) RELATING TO REDUCED IGNITION PROPENSITY CIGARETTES.  
Introduced by: Yamane R, Evans C, Oshiro B, McKelvey A, Hanohano F, Yamashita K  
Amends provisions relating to certification; marking by adding revolving fund. Requires that the fees collected from cigarette certification under the reduced ignition propensity cigarette law be deposited in a special fund to be administered by the state fire council. Requires that funds collected be expended only for the purpose of hiring personnel to administer the program and to cover costs associated with the program. Delays the implementation of the reduced ignition propensity cigarette law to September 30, 2010. Amends Act 218, Session Laws of 2008. -- HB0686 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN/ PSM/ then WAM
- HB0690 HD2 (HSCR 292) RELATING TO INSURANCE.  
Introduced by: Yamane R, Nishimoto S  
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) that provides health care coverage regular employees of any group or association offer the same coverage to part time employees; provided that \_\_\_\_ per cent of the part time employees agree to purchase the coverage. Requires the insurance commissioner to prepare a report of cost and benefits of this Act. Report to the legislature. Act to be repealed July 1, 2011 (sunset). -- HB0690 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH/ LBR/ then CPN
- HB0694 RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION.  
Introduced by: Yamane R, Herkes R, Evans C, Yamashita K, Souki J, McKelvey A, Bertram J, Tsuji C, Carroll M, Sagum R, Hanohano F, Keith-Agaran G  
Amends provisions relating to the Hawaii health systems corporations. Decreases the regional systems from 5 to 4 by deleting the Maui regional health care system; decreases the board of directors from 15 to 13 members; and decreases the members of the corporation board to be appointed from 12 to 10. -- HB0694  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then WAM
- HB0697 HD1 (HSCR 806) RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS.  
Introduced by: Yamane R, Yamashita K, Evans C, Oshiro B  
Establishes a temporary health insurance for unemployed persons program in the department of human services to provide temporary health care coverage for persons who have lost employment. Requires the program to have a benefits package similar to the basic benefits provided in the QUEST Net program. Appropriation. (\$\$) -- HB0697 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to LBR/ CPN/ then WAM
- HB0703 HD1 (HSCR 783) RELATING TO HEALTH.  
Introduced by: Yamane R, Nishimoto S, Belatti D, Mizuno J, Shimabukuro M  
Appropriation to the department of human services to maximize the availability of the federal disproportionate share hospital allowance to the State. (\$\$) -- HB0703 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS/ HTH/ then WAM
- HB0704 HD1 (HSCR 784) RELATING TO HOME CARE AGENCIES.  
Introduced by: Yamane R, Shimabukuro M  
Establishes provisions relating to home care agencies; licensing. Requires that all home care agencies be licensed to ensure the health, safety, and welfare of clients. Requires the director of health to adopt rules regarding home care agencies to protect the health, safety, and civil rights of clients of home care agencies; and provide for the licensing of home care agencies. Repealed on June 30, 2014 (sunset). Appropriation. (\$\$) -- HB0704 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH/ CPN/ then WAM
- HB0710 HD1 (HSCR 278) RELATING TO HEALTH.  
Introduced by: Yamane R  
Amends provisions relating to health planning and resources development and health care cost law. Exempts long term care facilities from certificate of need. -- HB0710 HD1  
Current Status: Mar=10 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then WAM

## HOUSE BILLS THAT PASSED THIRD READING

- HB0730 HD1 (HSCR 687) RELATING TO CRUELTY TO ANIMALS.  
Introduced by: Mizuno J, Brower T, Karamatsu J, Luke S, McKelvey A  
Amends provisions relating to cruelty to animals by fighting dogs. Provides that a person commits the offense of cruelty to animals by fighting dogs, if the person causes, sponsors, arranges, or holds a fight between dogs including owning, training, transporting, possessing, breeding, selling, transferring, or equipping a dog with the intent that the dog will be engaged in a fight, knowingly allowing a dog fight to occur on any property owned or controlled by the person, knowingly allowing any dog intended by the person to be used for a fight to be kept, boarded, housed, trained on, or transported in, any property owned or controlled by the person, knowingly wagering on a dog fight or knowingly possessing any device intended to enhance the animal's fighting ability. Defines device to mean both animate and inanimate objects and includes live animals used as bait animals. Defines dogfight as gathering or exhibition for the purpose of having a fight between one dog and another dog or having one dog injure another dog. Provides that dog fighting is a class C felony. -- HB0730 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO
- HB0739 HD2 (HSCR 785) RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES.  
Introduced by: Mizuno J, Pine K  
Appropriation out of the federal temporary assistance for needy families (TANF) program funds to the department of human services for monthly cash benefits to eligible families and for associated eligibility determination costs; for obtaining job training contracts and providing related support services; for programs to prevent and reduce the incidence of out of wedlock pregnancies and encourage the formation and maintenance of 2 parent families; for purchase of service contracts for child welfare services; for transfer to the child care development fund; for transfer to the social services block grant; for information systems costs; and for administering the TANF program. (\$\$) -- HB0739 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS then WAM
- HB0754 HD1 (HSCR 339) RELATING TO THE HAWAII TOURISM AUTHORITY.  
Introduced by: Manahan J, Say C, Evans C, Tsuji C, Keith-Agaran G, Mizuno J, Yamashita K  
Amends the provisions relating to the Hawaii tourism authority board. Removes the directors of the department of business, economic development and tourism, and the department of transportation, the chairperson of the board of land and natural resources, and executive director of the state foundation on culture and the arts from the Hawaii tourism authority board. -- Establishes provisions relating to the assistance by state and county agencies; advisory group. Requires the authority to establish an advisory group which includes the director of business, economic development and tourism, the director of transportation, the chairperson of the board of land and natural resources, and the executive director of the state foundation on culture and the arts. -- HB0754 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to TSM
- HB0779 RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT.  
Introduced by: Karamatsu J  
Repeals and replaces the uniform foreign country money judgments recognition act. -- HB0779  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO
- HB0782 HD1 (HSCR 261) RELATING TO THE UNIFORM MEDIATION ACT.  
Introduced by: Karamatsu J  
Establishes the uniform mediation act. -- HB0782 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO
- HB0808 RELATING TO HEALTH.  
Introduced by: Oshiro B, Yamane R, Hanohano F, Herkes R, Coffman D, Say C, Magaoay M, Yamashita K, Chong P  
Establishes provisions relating to practice of telemedicine. Allows license physicians to practice telemedicine which includes a documented patient evaluation, history and a discussion of physical symptoms adequate to establish a diagnosis and identify underlying conditions or contra indications to the treatment recommended or provided. Provides that treatment recommendations made via telemedicine to be held to the same standards of practice in traditional physician patient settings. -- HB0808

## HOUSE BILLS THAT PASSED THIRD READING

	Current Status: Mar=06 09 Introduction/Passed First Reading - Senate Mar=10 09 Multiple Referral to HTH then CPN
HB0811 HD2 (HSCR 543)	<p>RELATING TO REGISTERED NURSES.</p> <p>Introduced by: Aquino H, Manahan J, Magaoay M, Tsuji C, Pine K, Finnegan L, Ching C, Brower T, Wakai G, Ito K, Yamane R, Keith-Agaran G, Saiki S, Shimabukuro M</p> <p>Amends provisions relating to nurses. Amends provision that applicants that graduated from a registered nursing program at an educational institution in a foreign jurisdiction and had their transcripts evaluated by professional evaluators designated by the State board of nursing by repealing evaluation by professional evaluators. -- HB0811 HD2</p> <p>Current Status: Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to HTH then CPN</p>
HB0812 HD2 (HSCR 711)	<p>RELATING TO DOMESTIC VIOLENCE.</p> <p>Introduced by: Mizuno J, Pine K, Karamatsu J, Brower T, Magaoay M, Ito K, Shimabukuro M</p> <p>Establishes provisions relating to termination of tenancy; domestic violence. Allows a tenant to notify the landlord that the tenant or a household member was the victim of an act that constitutes abuse of a family or household member and that the tenant intends to terminate the rental agreement. Requires that notice to terminate a rental agreement be in writing with a copy of the temporary restraining order or a dated affidavit executed by a county deputy prosecuting attorney attached. Requires the tenant to terminate tenancy and be released from any rent payment obligation without penalty with provisions. -- HB0812 HD2</p> <p>Current Status: Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to CPN then JGO</p>
HB0813 HD1 (HSCR 664)	<p>RELATING TO LANGUAGE ACCESS.</p> <p>Introduced by: Keith-Agaran G, Pine K, Karamatsu J, Brower T, Mizuno J, Shimabukuro M, Magaoay M, Ito K</p> <p>Establishes provisions relating to a language access month. Designates the month of ____ as language access month to promote awareness of language access for government services and to emphasize the importance of and the need for languages access in Hawaii's diverse society, not a state holiday. -- HB0813 HD1</p> <p>Current Status: Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Single Referral to JGO</p>
HB0814 HD2 (HSCR 310)	<p>RELATING TO NURSE AIDES.</p> <p>Introduced by: Mizuno J, Keith-Agaran G, Magaoay M, Brower T, Manahan J, Ching C, Karamatsu J, Pine K, Bertram J, Shimabukuro M</p> <p>Amends provisions relating to certified nurse aides; training programs and recertification. Requires recertification not less than every 2 years and provides that the number of continuing education hours required for recertification shall not exceed 24 hours per year. -- HB0814 HD2</p> <p>Current Status: Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to HTH then CPN</p>
HB0819 HD2 (HSCR 471)	<p>RELATING TO CRIME.</p> <p>Introduced by: Mizuno J, Brower T, Cabanilla R, Ward G, Bertram J, Say C, Pine K, Karamatsu J</p> <p>Amends provisions relating to waiver of jurisdiction, transfer to other courts. Provides that if a minor who is at least 15 years of age, but less than 18 years of age, has been charged with an act that would constitute a violation of murder in the 1st and 2nd degree, if committed by an adult, the family court shall waive jurisdiction and order the minor held for criminal proceedings. Allows the circuit court to remand the minor back to family court if the circuit court finds that the rehabilitation of the minor would be seriously impaired if the minor remained under the jurisdiction of the circuit court. -- HB0819 HD2</p> <p>Current Status: Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to HMS then JGO</p>
HB0834 HD2 (HSCR 851)	<p>RELATING TO WATER QUALITY STANDARDS.</p> <p>Introduced by: Say C (BR)</p> <p>Adopts the Clean Water Act and the 2006 US Environmental Protection Agency national recommended water quality standards and shall apply to all state inland and marine waters. Exempts the 2006 national recommended water quality criteria for arsenic, cadmium, chromium, chromium III, chromium IV, copper, lead, mercury, nickel, selenium, silver, and zinc and the 2006 national recommended water quality criteria for non priority pollutants not currently listed. Further adopts provisions for coastal recreation waters. -- HB0834 HD2</p> <p>Current Status: Mar=12 09 Introduction/Passed First Reading - Senate</p>



## HOUSE BILLS THAT PASSED THIRD READING

Mar=12 09 Single Referral to HTH/ ENE/

- HB0861 HD1 (HSCR 736) RELATING TO ELECTIONS.  
Introduced by: Say C (BR)  
Establishes provisions relating to election procurements. Exempts the office of elections from procurement code requirements relating to cost or pricing data. -- HB0861 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to JGO then WAM
- HB0863 HD1 (HSCR 176) RELATING TO ESTABLISHING A COUNTY TRANSIT ORIENTED DEVELOPMENT INFRASTRUCTURE REVOLVING FUND.  
Introduced by: Har S, Bertram J, McKelvey A  
Establishes provisions relating to county infrastructure development loan fund. Establishes the revolving loan fund to be administered by the director of finance. Provides no interest loans to counties for the development, pre development or construction of infrastructure projects to expedite the building of transit oriented development, particularly those projects involving affordable housing. Annual report to the legislature. -- HB0863 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA/ EDH/ then WAM
- HB0865 HD1 (HSCR 709) RELATING TO TRANSPORTATION.  
Introduced by: Har S, McKelvey A, Yamane R, Herkes R, Nakashima M, Tokioka J, Souki J, Yamashita K, Ito K, Karamatsu J, Carroll M, Chang J, Hanohano F, Lee M, Magaoay M  
Amends provisions relating to statewide transportation plan. Requires the department of transportation to comply with county transportation related plans, county general plans, and all community, development, or community development plans adopted to the county general plan, to the extent that compliance does not affect the receipt of federal funds. -- HB0865 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to TIA
- HB0866 HD1 (HSCR 562) RELATING TO HIGH OCCUPANCY VEHICLE LANES.  
Introduced by: Har S, Lee M, Ito K, Shimabukuro M, Yamane R, Magaoay M, Oshiro M  
Establishes provisions relating to high occupancy vehicle lanes; emergencies. Allows any motor vehicle, regardless of the number of passengers, to use the high occupancy vehicle lane (HOV) or zipper lane when 1 or more lanes are shut down by police or emergency services. Requires the department of transportation to develop protocols for the use of the HOV lane or zipper lane when 1 or more lanes are shut down by police or emergency services. -- HB0866 HD1  
Current Status: Mar=06 09 Introduction/Passed First Reading - Senate  
Mar=10 09 Single Referral to TIA
- HB0869 HD1 (HSCR 721) RELATING TO RENTAL MOTOR VEHICLES.  
Introduced by: Herkes R  
Amends provisions relating to U drive vehicles, traffic infractions. Requires that the owner of a rental motor vehicle that has been involved in a violation provide the court with the name and address of the lessee within 60 days of the mailing of the notice. Requires that the court mail a copy of the summons or citation to the lessor within 60 days of the issuance of the summons or citation. -- HB0869 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then JGO
- HB0874 HD2 (HSCR 704) RELATING TO RESIDENTIAL REAL PROPERTY.  
Introduced by: Oshiro B  
Establishes provisions relating to prohibition of transfer fees. Provides that no deed restriction or other covenant running with the land applicable to the transfer of residential real property, or the transferee's heirs, successors or assigns to pay a declarant or other person imposing the deed restriction or covenant on the property of a 3rd party designated by a transferor of the property a fee in connection with the future transfer of property. Provides exceptions. -- HB0874 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO
- HB0875 RELATING TO CONDOMINIUMS.  
Introduced by: Oshiro B  
Amends Act 244, session laws of 2007, relating to condominiums by changing the sunset date to June 30, 2011. Amends Act 205 session laws of 2007, relating to condominiums by changing the sunset date to June 30, 2011. -- HB0875

## HOUSE BILLS THAT PASSED THIRD READING

	Current Status:	Mar=10 09 Introduction/Passed First Reading - Senate Mar=12 09 Single Referral to CPN
HB0876 HD1 (HSCR 315)	RELATING TO CONDOMINIUMS. Introduced by: Oshiro B Amends provisions relating to condominiums. Changes the maximum amount of special assessment for delinquent monthly common assessment to ____ dollars. Expands limitations on association liability for elderly unit owners or residents aging in place to include disabled persons. -- HB0876 HD1 Current Status:	Mar=06 09 Introduction/Passed First Reading - Senate Mar=10 09 Multiple Referral to HMS/ CPN/ then JGO
HB0895 HD2 (HSCR 807)	RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES. Introduced by: Yamane R Amends provisions relating to the cigarette tax and tobacco tax law. Redefines tobacco products to include smokeless tobacco and pipe tobacco. Increases the excise tax on the wholesale price of each tobacco product sold. Provides that ____ per cent of the taxes collected on tobacco products shall go to the community health centers special fund. -- HB0895 HD2 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to HTH then WAM
HB0896 HD1 (HSCR 808)	RELATING TO TOBACCO. Introduced by: Yamane R Amends Act 131, session laws of 2005, relating to retail tobacco permit by repealing the sunset date. -- HB0896 HD1 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to HTH then WAM
HB0899 HD1 (HSCR 941)	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS. Introduced by: Say C (BR) Amends provisions relating to the office of Hawaiian affairs. Authorizes the board of trustees of the office of Hawaiian affairs to issue and insure revenue bonds. -- HB0899 HD1 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to WTL then WAM
HB0901 HD2 (HSCR 968)	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS. Introduced by: Say C (BR) Amends provisions relating to the definition of public lands by adding lands conveyed to the office of Hawaii affairs pursuant to Act ____, session laws of 2009. -- Amends provisions relating to district; established boundaries. Requires that the Kakaako community development district not include any land conveyed to the office of Hawaiian affairs pursuant to Act ____, session laws of 2009. Repeals provisions relating to interim revenue. Conveys to the office of Hawaiian affairs Kakaako makai. -- HB0901 HD2 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to WTL/ JGO/ then WAM
HB0921 HD1 (HSCR 666)	RELATING TO PUBLIC LANDS. Introduced by: Wooley J Amends provisions relating to continuation of rights under existing homestead leases, certificates of occupations, right of purchase leases and cash freehold agreements. Allows homestead leases to be transferred or assigned to any person designated as a trustee of a land trust. Allows the trustee of a land trust, as assignee of the homestead lease, to assume all obligations of the lessee under the homestead lease. -- HB0921 HD1 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to WTL then WAM
HB0948 HD1 (HSCR 694)	RELATING TO KAKAAKO. Introduced by: Ito K, Yamashita K, Chong P, Thielen C, Tsuji C, Nishimoto S, Tokioka J, Brower T, Magaoay M, Souki J, Yamane R Establishes provisions for reserved housing requirements for Kakaako mauka area. Requires that at least 25 per cent of units be reserved housing units for low and moderate income families if the lot is 3 acres or greater or 20 per cent for a development with dwelling units on a lot between 20,000 and 130,679 square feet. Requires developer to divide the floor area required for reserved housing. Report to legislature. -- HB0948 HD1 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to EDH then WTL

## HOUSE BILLS THAT PASSED THIRD READING

- HB0949 HD1 (HSCR 969) RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.  
Introduced by: Ito K, Thielen C, Tokioka J, Brower T, Souki J, Magaoay M, Chang J, Yamane R  
Amends provisions relating to Hawaiian homes commission act of 1920. Allows the department of Hawaiian home lands to negotiate lease terms of up to 99 years for commercial development projects. -- HB0949 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM
- HB0951 HD1 (HSCR 772) RELATING TO LANDOWNER LIABILITY.  
Introduced by: Ito K  
Establishes provisions for definitions, land failure on unimproved land caused by natural condition; liability, natural condition. Relieves landowners of liability for damage, injury or harm to persons or property outside the boundaries of the landowners land caused by naturally occurring land failure originating on unimproved land. Provides that a landowner shall remain liable for damages proximately caused by negligence or wanton acts or omissions committed in the course of activities on the unimproved land. -- HB0951 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then JGO
- HB0952 HD1 (HSCR 972) RELATING TO LABOR.  
Introduced by: Takumi R, Luke S, Belatti D, Brower T, Lee C, Nakashima M, Lee M, Morita H, Shimabukuro M, Mizuno J, Wakai G  
Establishes provisions relating to streamlining union certification under the Hawaii employment relations act. Requires the Hawaii labor relations board to investigate when an employee, group of employees, or any individual or labor organization files a petition for representation by an individual or labor organization for the purpose of collective bargaining. Requires the board to certify the individual or labor organization as the representative. Further requires the board to adopt rules governing the certification of an exclusive representative and to have the final determination on any controversy concerning the eligibility of an employee to sign an authorization card and the validity of an employee's signature on an authorization card. Requires an individual or labor organization that has been newly organized or certifies as a representative to make every reasonable effort to conclude and sign a collective bargaining agreement. -- HB0952 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to LBR then JGO
- HB0954 HD1 (HSCR 877) RELATING TO A MAJOR DISASTER RESERVE TRUST FUND.  
Introduced by: Evans C  
Establishes provisions relating to major disaster reserve trust fund. Requires the director of finance to establish a major disaster reserve trust fund, and that federal reimbursement for disaster relief be deposited into the account. Provides funds with approval of the legislature for expenditure under the governor for relief in the event of a major disaster. -- HB0954 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then WAM
- HB0960 HD2 (HSCR 870) RELATING TO THE HAWAII TOURISM AUTHORITY.  
Introduced by: Manahan J, Say C, Lee M, Evans C, Tsuji C, McKelvey A, Wakai G, Tokioka J, Brower T  
Amends provisions relating to tourism emergency. Redefines tourism emergency to include regional or worldwide economic crisis. -- HB0960 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TSM then WAM
- HB0963 HD1 (HSCR 247) RELATING TO WORKS OF ART SPECIAL FUND.  
Introduced by: Manahan J, Lee M, Yamashita K, Mizuno J, Souki J, Luke S, Brower T, Nishimoto S, Tokioka J  
Amends provisions relating to Iolani palace and the Bernice Pauahi Bishop museum. Requires the comptroller and the State of Hawaii museum of monarch history or the Bernice Pauahi Bishop museum, as applicable, be responsible for the selection of works of art and artifacts for Iolani palace and the Bernice Pauahi Bishop museum. Allows expenditures from works of art special fund for acquisition of works of art for the museum and palace. -- HB0963 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDT/ JGO/ then WAM
- HB0975 HD1 (HSCR 903) RELATING TO AGRICULTURAL WATER SYSTEMS.  
Introduced by: Oshiro M

## HOUSE BILLS THAT PASSED THIRD READING

Establishes provisions relating to agricultural water systems; acquisition. Allows the agribusiness development corporation to acquire an agricultural water system to provide water for irrigation of agricultural lands. Requires the owner of the agricultural water system to be conveyed to provide a description of the system sufficient to identify the property being acquired, including a map of the land and description of the metes and bounds and other information required for recording. Exempts an agricultural water system from county subdivision requirements. -- Amends provisions relating to exemptions to the uniform land sales practices act to include real, personal, or mixed property comprising an agricultural water system providing water for irrigation of agricultural lands conveyed to the agribusiness development corporation. -- HB0975 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM

HB0979 HD1 (HSCR 746)

### RELATING TO THE ENVIRONMENT.

Introduced by: Chong P, Tsuji C, Yamashita K

Amends provisions relating to special land and development fund. Authorizes the special land and development fund to be used for invasive species control and mitigation, to promote reforestation and to mitigate sediment run off. Act to be repealed on June 30, 2013 (sunset). -- HB0979 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL/ ENE/ then WAM

HB0980 HD2 (HSCR 933)

### RELATING TO RECREATIONAL RENAISSANCE.

Introduced by: Ito K, Hanohano F, Chong P, Magaoay M, Evans C, Karamatsu J, Har S, Tokioka J, McKelvey A, Keith-Agaran G, Mizuno J, Cabanilla R, Tsuji C, Nakashima M, Oshiro B, Shimabukuro M, Brower T, Manahan J, Carroll M, Wakai G, Morita H, Lee C, Yamashita K, Nishimoto S, Bertram J

Establishes provisions relating to recreational renaissance special fund. Establishes the fund in the department of land and natural resources for the recreational renaissance program. Provides that the fund shall be used for information technology, payment of bonds, planning, design, and construction, operation and maintenance costs, and land acquisition. -- Establishes provisions for partnership with the department for Keehi small boat harbor and triangle island. Requires the department of land and natural resources to delegate to the aloha tower development corporation the implementation of projects related to Keehi small boat harbor and triangle island. -- Amends industrial park to include existing roadways that provide access to or within an industrial park. Exempts the selection of a partnership for the development of an industrial park from competitive sealed bid provisions. -- Repeals the prohibition of moorage of commercial vessels and commercial activities in the Ala Wai and Keehi boat harbors. Requires that the total number of valid commercial use permits that may be issued for vessels assigned mooring at Ala Wai boat harbor shall not exceed 15 per cent of the total berths and shall not exceed 35 per cent of the total berths at Keehi boat harbor. Requires moorage fees to be established by appraisal by a state licensed appraiser with a schedule for existing mooring holders and a schedule for new mooring applicants. Allows the additional assessment of utility fees. Appropriation out of the fund. (\$\$) -- HB0980 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM

HB0981 HD2 (HSCR 973)

### RELATING TO HIGHWAY SAFETY.

Introduced by: Har S, Say C, Magaoay M, Oshiro M, Oshiro B, Chong P, Evans C, Brower T, Manahan J, Mizuno J, Yamane R, Nishimoto S, Takai K, Takumi R, Tsuji C, Tokioka J, Berg L, Chang J, Belatti D, McKelvey A, Lee M, Yamashita K, Keith-Agaran G, Carroll M, Hanohano F, Luke S, Lee C, Coffman D, Nakashima M, Morita H, Rhoads K

Establishes provisions relating to refusal to submit to a breath, blood or urine test; penalty. Establishes that refusal to submit to a breath, blood or urine test, as required is a petty misdemeanor. Amends provisions relating to ignition interlock. Amends Act 171, session laws of 2008. Requires the director to select 1 vendor. Extends the Hawaii ignition interlock implementation task force to January 1, 2011 (sunset). -- HB0981 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then JGO

HB0982 HD3 (HSCR 955)

### RELATING TO FAMILY LEAVE.

Introduced by: Lee M, Chong P, Oshiro B, Magaoay M, Evans C, Nishimoto S, Belatti D, Har S, Ito K, Mizuno J, Tsuji C, Nakashima M, Coffman D, Oshiro M, Hanohano F, Brower T, Wakai G, Shimabukuro M, Chang J, Bertram J, Yamane R, Morita H, Karamatsu J

Establishes provisions relating to family leave data collection system; establishment. Establishes the system to ensure that employees are informed of their rights, collect data on family leave, provide analysis of the data, and provide analysis of data to assist in the future development of

## HOUSE BILLS THAT PASSED THIRD READING

caregiver services for senior citizens. Requires the department of labor and industrial relations to work with the university of Hawaii center on aging to create a web based data system. Requires the auditor to be provided access to the data base and shall prepare annual reports to the legislature, the department, the university of Hawaii center on aging. Appropriation out of the disability benefits special fund. (\$\$) -- HB0982 HD3

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to LBR then WAM

HB0983 HD1 (HSCR 909)

RELATING TO EDUCATION.

Introduced by: Lee M, Magaoay M, Oshiro B, Mizuno J, Chong P, Aquino H, Oshiro M, Say C, Wooley J, Keith-Agaran G, Takai K, Ito K, Nishimoto S, Evans C, Souki J, Hanohano F, Brower T, Cabanilla R, Har S, Belatti D, Bertram J, Tokioka J, Rhoads K, Wakai G, Nakashima M, Coffman D, Tsuji C, Carroll M, Yamashita K, Yamane R, Shimabukuro M, Morita H, Karamatsu J, Manahan J

Requires the director of transportation, through the Safe Routes to School coordinator to conduct a statewide pupil travel evaluation survey to study how students get to school and use the information to provide Safe Routes to School Program funds to each school for school based workshops and community planning would reduce vehicular travel and congestion, encourage walking and bicycling, and increase health and safety. Reports to the legislature. -- HB0983 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH/ TIA/ then WAM

HB0984 HD4 (HSCR 949)

RELATING TO TECHNOLOGY.

Introduced by: Oshiro M, Yamashita K, Chong P, Say C, Oshiro B, Evans C, Mizuno J, Coffman D, Nishimoto S, Keith-Agaran G, Magaoay M, Yamane R, Tokioka J, McKelvey A, Carroll M, Hanohano F, Luke S, Awana K, Tsuji C, Nakashima M, Lee C, Manahan J, Morita H, Rhoads K Establishes the Hawaii communications commission law. Establishes the commission within the department of commerce and consumer affairs. Provides that the commission shall have general supervision over all telecommunications carriers and cable operators. Requires the commission to ensure that all consumers are provided access to high quality telecommunications network facilities and capabilities. Further requires the commission to study and develop a comprehensive policy to further broadband communications, including internet access. Further requires the commission to develop programs and initiatives to facilitate the deployment of broadband communications services in the state including the construction of infrastructure. Annual report to the governor and from the governor the legislature. -- Establishes the Hawaii communications commission special fund to be used by the commission and the division of consumer advocacy. Establishes a communications advisory committee to advise the commission, telecommunications carriers, and cable operators. Annual report to the legislature. -- Requires telecommunications carrier to obtain a certificate of convenience and necessity before commencing its business. -- Empowers the commission to issue cable franchises. -- Repeals cable television system law. Transfers a portion of the moneys from the public utilities commission special fund to the communications commission special fund and the cable television division subaccount in the compliance resolution fund to the special fund. Appropriation. Transfers functions and responsibilities relating to telecommunications and cable operators from the department and the public utilities commission to the communications commission. Requires the department of commerce and consumer affairs to transfer 4 positions each to the commission. Requires the commission to convene a work group to develop procedures for streamlined regulatory, franchising, and permitting function for the use or development of broadband service or technology. Report to the legislature. Requires the communications commission to review laws relating to broadband technology, telecommunications, infrastructure development, and permitting requirements and report to the legislature. (\$\$) -- HB0984 HD4

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDT/ CPN/ then WAM

HB0985 HD2 (HSCR 840)

RELATING TO EDUCATION.

Introduced by: Nakashima M, McKelvey A, Magaoay M, Chong P, Carroll M, Evans C, Luke S, Oshiro B, Mizuno J, Coffman D, Oshiro M, Takai K, Say C, Lee M, Rhoads K, Karamatsu J, Shimabukuro M, Lee C, Morita H, Awana K, Tsuji C

Amends provisions relating to educational accountability system; annual reports. Requires the department of education evaluation of the effectiveness of complex area superintendents and principals to include implementation of the use of resources by schools. Requires principals to develop and present to the school community council the school budget process as it aligns with the school's academic and financial plans. Requires the board of education to develop an appeals process with respect to the authority of a principal to set aside any decision made by a school community council. Requires principals to exercise various media and including electronic media and websites to engage and consult with teachers, parents, and students to solicit input

## HOUSE BILLS THAT PASSED THIRD READING

and advice on the use of money, positions, and other resources available to the school. --  
HB0985 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH then WAM

HB0986 HD1 (HSCR 68)

RELATING TO PUBLIC SCHOOL FACILITIES.

Introduced by: Morita H, Magaoay M, Oshiro M, Chong P, Oshiro B, Evans C, Mizuno J, Herkes R, Karamatsu J, Hanohano F, Luke S, Bertram J, Lee M, Manahan J, Rhoads K, Har S, Tsuji C, McKelvey A, Awana K, Saiki S, Berg L, Yamashita K, Carroll M, Belatti D, Lee C, Nishimoto S, Takai K, Takumi R, Brower T, Coffman D, Nakashima M

Amends provisions relating to the state educational facilities repair and maintenance account. Requires repair and maintenance requirements to include energy efficiency and environmental standards under the energy resources law. -- HB0986 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH/ ENE/ then WAM

HB0987 HD2 (HSCR 918)

RELATING TO UNEMPLOYMENT.

Introduced by: Coffman D, Magaoay M, Oshiro M, Say C, Chong P, Oshiro B, Evans C, Mizuno J, Karamatsu J, Yamashita K, Takai K, Luke S, Morita H, Belatti D, Berg L, Hanohano F, Herkes R, McKelvey A, Shimabukuro M, Awana K, Manahan J, Brower T, Tsuji C, Carroll M, Tokioka J, Nishimoto S, Lee M, Keith-Agaran G, Rhoads K, Nakashima M

Establishes the state comprehensive employment and training program law. Authorizes the director of labor and industrial relations to create and administer a statewide state funded subsidized public service employment program for unemployed persons. Provides that persons employed in public service jobs under this law shall not be paid below minimum wage and shall not be considered state employees. Annual report to the legislature. -- Provides that an employer who agrees to participate in the employment program to train and permanently hire unemployed persons shall be entitled to state subsidy. Appropriation. Act to be repealed on June 30, 2010 (sunset). (\$\$) -- HB0987 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to LBR then WAM

HB0988 HD2 (HSCR 777)

RELATING TO PROCUREMENT.

Introduced by: Oshiro B, Say C, Magaoay M, Oshiro M, Chong P, Evans C, Tsuji C, Shimabukuro M, Luke S, Yamashita K, Keith-Agaran G, Bertram J, Nakashima M, Takumi R, Rhoads K, Manahan J, Tokioka J, Herkes R, McKelvey A, Morita H, Lee C, Awana K, Takai K, Belatti D, Nishimoto S, Carroll M, Brower T, Hanohano F, Lee M, Coffman D, Yamane R

Amends provisions relating to Hawaii procurement code. Establishes that if an administrator or procurement officer has made any contract under procurement code and finds that in the performance of the contract there has been a failure to comply with the provisions, the contract shall be voidable and the offeror shall be referred for debarment or suspension proceedings. Adds failure to adequately verify, deliver, or supply Hawaii products as required, as a cause for debarment or suspension proceedings. Amends the definition of Hawaii products by eliminating the product classes. Allows self certification as part of the offer that the Hawaii products qualify for preference. -- HB0988 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDT/ CPN/ then JGO

HB0989 HD1 (HSCR 809)

RELATING TO CHILDREN'S HEALTH CARE.

Introduced by: Yamane R, Magaoay M, Chong P, Evans C, Oshiro B, Mizuno J, Hanohano F, Takai K, Luke S, Yamashita K, Berg L, Takumi R, Morita H, Brower T, Tsuji C, Nakashima M, Herkes R, McKelvey A, Lee C, Nishimoto S, Shimabukuro M, Awana K, Rhoads K, Oshiro M, Keith-Agaran G, Coffman D, Manahan J, Belatti D, Har S, Tokioka J

Amends Act 236, session laws of 2007, which establishes the Hawaii children's health care program as a temporary pilot program to provide health care coverage to uninsured children who live in Hawaii. Provides that the primary health care services shall be provided by the federally qualified health center. Requires the managed care plan partner to establish payment plans with the state's federally qualified health centers to cover the costs of the participants' primary health care services. Requires the department of human services and any participating managed care plan to report to the legislature on any proposals on funding sources other than the State. Program to be repealed on June 30, 2012 (sunset). Appropriation. (\$\$) -- HB0989 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS/ HTH/ then WAM

HB0990 HD1 (HSCR 878)

RELATING TO DISASTER PREPAREDNESS.

Introduced by: Herkes R, Chong P, Magaoay M, Evans C, Keith-Agaran G, Mizuno J, Coffman

## HOUSE BILLS THAT PASSED THIRD READING

D, Har S, Say C, Oshiro B, Morita H, Belatti D, Luke S, Yamane R, Rhoads K, Shimabukuro M, Awana K, Nishimoto S, Takai K, Oshiro M, Nakashima M, McKelvey A, Manahan J, Tokioka J, Tsuji C

Establishes disaster preparedness law. Establishes the office of the director of disaster preparedness in the department of transportation. Requires the director to develop a comprehensive disaster preparedness plan for the State which includes the identification of natural hazards; the designation of natural hazard impact zones; priorities for natural hazard mitigation; policies, requirements, and incentives to mitigate the problems caused by natural hazards; plans for best responses to natural and other disasters. Annual report to the legislature and governor. Establishes a commission to advise and assist the director. Appropriation. (\$\$)

-- HB0990 HD1

Current Status:

Mar=12 09 Introduction/Passed First Reading - Senate

Mar=12 09 Multiple Referral to PSM/ TIA/ then WAM

HB0991 HD2 (HSCR 956)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Yamane R, Say C, Magaoay M, Oshiro M, Oshiro B, Chong P, Evans C, Mizuno J, Luke S, Takai K, Yamashita K, Hanohano F, Lee M, Rhoads K, Brower T, Manahan J, Herkes R, Nakashima M, Takumi R, McKelvey A, Berg L, Morita H, Lee C, Shimabukuro M, Nishimoto S, Awana K, Keith-Agaran G, Coffman D, Belatti D, Tsuji C

Establishes provisions relating to Hawaii medical doctor loans; eligibility; amounts. Establishes the Hawaii medical doctor loan program administered by the university of Hawaii to provide financial support to students who complete a state approved medical school program at the university or graduates of a medical school who have received medical training from a Hawaii based medical program and who agree to practice in rural areas of the State. Provides that loans shall bear interest at 5 per cent simple interest. Repayment of principal and interest charges shall commence 1 year after graduation or 3 months after a loan recipient ceases to be enrolled in a state approved medical school program and shall be paid in periodic installments within a 6 year period. Provides that if the doctor is practicing as a medical doctor in a rural area of the State 1/10 of the total amount of the loan and interest shall be waived for every year of the 1st 5 years and the remaining balance shall be waived after the 6th year. Establishes the medical doctor loan revolving fund administered by the board of regents of the university of Hawaii to be used for qualified students who meet eligibility requirements. Appropriation to the fund and out of the fund. (\$\$) -- HB0991 HD2

Current Status:

Mar=12 09 Introduction/Passed First Reading - Senate

Mar=12 09 Multiple Referral to HTH/ HRE/ then WAM

HB0993 HD2 (HSCR 971)

PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES.

Introduced by: Rhoads K, Say C, Cabanilla R, Magaoay M, Evans C, Souki J, Ito K, Chang J, Manahan J, Tsuji C, Coffman D, Morita H, Wakai G, Luke S, Chong P, Oshiro M, Oshiro B, Tokioka J

Proposes to amend the constitution. Establishes that during any regular session in which the council on revenues estimates prior to adjournment sine die, that for the 2nd consecutive year, general fund revenues in the current the general fund revenues collected in the prior fiscal year by at least 7 percent, the legislature shall set aside an amount equal to 1 per cent of general fund revenues as a tax refund or tax credit and moneys exceeding 7 per cent of the amount by which revenues in the current fiscal year are estimated to exceed revenues in the prior fiscal year for deposit into an emergency and budget reserve fund (rainy day fund). -- HB0993 HD2

Current Status:

Mar=12 09 Introduction/Passed First Reading - Senate

Mar=12 09 Multiple Referral to WAM then JGO

HB0994 HD1 (HSCR 552)

RELATING TO TOURISM.

Introduced by: Wakai G, Ward G, Oshiro B, Marumoto B, Herkes R, Pine K

Appropriation to the department of business, economic development, and tourism for the application for a spaceport license from the Federal Aviation Administration. (\$\$) -- HB0994 HD1

Current Status:

Mar=12 09 Introduction/Passed First Reading - Senate

Mar=12 09 Multiple Referral to PSM/ TSM/ then WAM

HB1008 HD1 (HSCR 686)

RELATING TO LAND USE.

Introduced by: Say C (BR)

Amends standards and criteria for the reclassification or rezoning of important agricultural lands. Establishes provisions relating to subdivisions and building permits on agricultural land. Establishes conditions for subdivision of land and each building permit to construct farm dwellings in an agricultural land use district. Adds agribusiness as permissible uses within agricultural districts. -- HB1008 HD1

Current Status:

Mar=12 09 Introduction/Passed First Reading - Senate

## HOUSE BILLS THAT PASSED THIRD READING

Mar=12 09 Multiple Referral to WTL then TIA

- HB1014 HD3 (HSCR 879) RELATING TO ENHANCED 911 SERVICES.  
Introduced by: Say C (BR)  
Amends provisions relating to the enhanced 911 services for mobile phones (cell phone, cellular phone, mobile telephone, wireless telephone) law. Replaces wireless enhanced to enhanced and replaces wireless provider with communications service provider. Increases membership of the board. Changes the surcharge to \_\_\_\_ cents. Prohibits a 3rd party accounting firm, consultant, or other 3rd party hired to perform administrative duties to be retained if there is a conflict of interest. -- HB1014 HD3  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDT/ CPN/ then WAM
- HB1015 HD1 (HSCR 942) RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND.  
Introduced by: Say C (BR)  
Amends provisions relating to exceptions; trust funds. Provides that obligations in excess of the amount standing to the credit of a department of Hawaiian home lands trust fund or moneys of the Hawaii housing finance and development corporation may be incurred when the director of finance determines that moneys to pay the obligations made in excess of the amount standing to the credit of the trust fund and the Hawaii housing finance and development corporation are expected to be received within a reasonable time period; and with the approval of the governor, such action is in the best interests of the State and will not impede or hamper the financial obligations of the State. -- HB1015 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL/ EDH/ then WAM
- HB1016 HD2 (HSCR 812) MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.  
Introduced by: Say C (BR)  
Appropriation to the department of the attorney general for the purpose of satisfying claims for legislative relief to persons, firms, corporations, and entities which have claims against the State for the overpayment of taxes, refunds, reimbursements, payments of judgments or settlements, or other liabilities. -- Appropriation to the department of transportation, highways division, for the purpose of satisfying claims for legislative relief to persons, for claims against the State or its officers or employees for payments judgments or settlements, or other liabilities. (\$\$) -- HB1016 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to JGO then WAM
- HB1025 HD1 (HSCR 378) RELATING TO SENTENCING.  
Introduced by: Say C (BR)  
Establishes provisions relating to presentence mental and medical examinations. Provides that a court may order a defendant who has been convicted of a felony or misdemeanor to submit to mental or other medical observation or examination; and appoint 1 or more qualified psychiatrists, physicians, or licensed psychologists to make the examination. Requires the department of health to create a list of certified examiners for appointment. -- HB1025 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then JGO
- HB1031 RELATING TO CHAPTER 480, HAWAII REVISED STATUTES.  
Introduced by: Say C (BR)  
Amends provisions relating to unfair competition, practices, declared unlawful. Provides that the State or any of its political subdivisions or governmental agencies may bring an action based on unfair methods of competition and unfair or deceptive acts or practices declared unlawful. -- HB1031  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO
- HB1032 RELATING TO NOTARY PUBLIC SEALS.  
Introduced by: Say C (BR)  
Amends provisions relating to seal under notary public law. Requires every notary public seal to include the notary public's commission number. -- HB1032  
Current Status: Mar=10 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO



## HOUSE BILLS THAT PASSED THIRD READING

- HB1035 HD1 (HSCR 688)      RELATING TO APPEALS.  
Introduced by: Say C (BR)  
Amends provisions relating to appeals as of right or interlocutory, civil matters. Provides that appeals shall be allowed from interlocutory orders of circuit courts that deny motions seeking dismissal, or judgment for the movant, based upon sovereign immunity or qualified immunity. Provides that an application to the circuit court to permit an interlocutory appeal and any appeal shall be taken in the manner and within the time provided by the rules of court. -- HB1035 HD1  
Current Status:      Mar=12 09 Introduction/Passed First Reading - Senate  
                         Mar=12 09 Single Referral to JGO
- HB1037 HD2 (HSCR 886)      RELATING TO CIVIL ACTIONS.  
Introduced by: Say C (BR)  
Amends provisions relating to government entity as a tortfeasor; abolition of joint and several liability; exceptions. Provides that in any case where a government entity is 1 of the tortfeasors, the government entity will be liable for no more than that percentage share of the damages attributable to the government entity. Repeals that joint and several liability shall be retained for tort claims relating to the maintenance and design of highways. -- HB1037 HD2  
Current Status:      Mar=12 09 Introduction/Passed First Reading - Senate  
                         Mar=12 09 Single Referral to JGO
- HB1040 HD1 (HSCR 707)      RELATING TO TORT LIABILITY.  
Introduced by: Say C (BR)  
Amends Act 170, session laws of 2002, as amended by Act 152, session laws of 2007, relating to state and county tort liability, by repealing the sunset date. -- Amends Act 82, session laws of 2003, as amended by Act 152, session laws of 2007, relating to state and county tort liability, by repealing the sunset date. -- HB1040 HD1  
Current Status:      Mar=12 09 Introduction/Passed First Reading - Senate  
                         Mar=12 09 Multiple Referral to TIA then JGO
- HB1043 HD1 (HSCR 756)      RELATING TO LOW-INCOME HOUSING TAX CREDITS.  
Introduced by: Say C (BR)  
Amends provisions relating to low income housing income tax credit. Changes the credit to be equal to the amount of the federal low income housing tax credit that the taxpayer claimed or could have claimed pursuant to section 42 of the Internal Revenue Code with respect to each qualified low income building located in Hawaii. Provides that for any project placed in service beginning January 1, 2009, section 42 (b) (2) (B) of the Internal Revenue Code is modified for a 5 year period. -- Provides that under section 1602(b) of the American Recovery and Reinvestment Act of 2009, the state may elect to receive low income housing grant in lieu of the low income housing tax credit allocation for 2009. Requires the Hawaii housing finance and development corporation to serve as the state housing credit agency. -- HB1043 HD1  
Current Status:      Mar=12 09 Introduction/Passed First Reading - Senate  
                         Mar=12 09 Multiple Referral to EDH then WAM
- HB1044 HD2 (HSCR 801)      RELATING TO HOUSING.  
Introduced by: Say C (BR)  
Amends provisions relating to real property; restrictions on transfer; waiver of restrictions. Allows purchaser to refinance real property provided that the purchaser obtain the corporation's written consent for any refinancing while any restriction on transfer exists. Requires that the corporation's share of appreciation on real property applies when the sale price of the real property that is developed and initially sold is less than the then current, unencumbered, fair market value of the real property as determined by a real property appraisal obtained prior to the closing of the sale, is a restriction that runs with the land until it is paid in full and released by the corporation, or extinguished, and may be paid at any time after recordation of the sale. Requires that restrictions be automatically extinguished when a mortgage hold or other party becomes the owner of the real property provided that the mortgage is the initial purchase money mortgage, or that the corporation consented to, and agreed to subordinate the restrictions on the mortgage when originated if the mortgage is not the initial purchase money mortgage. Requires a mortgagor to notify the corporation 45 days prior to commencing mortgage foreclosure proceedings. Requires that in any sale in which the corporation's share of appreciation in real property shall be a restriction, the terms of the shared appreciation equity program shall be clearly stated and included as an exhibit in any deed, lease, agreement of sale, or any other instrument of conveyance. -- HB1044 HD2  
Current Status:      Mar=12 09 Introduction/Passed First Reading - Senate  
                         Mar=12 09 Multiple Referral to EDH then WAM
- HB1045 HD1 (HSCR 892)      RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.

## HOUSE BILLS THAT PASSED THIRD READING

- Introduced by: Say C (BR)  
Establishes provisions relating to authority to modify and amend development agreements with eligible developers. Authorizes the Hawaii housing finance and development corporation to amend, delete, restate, and otherwise modify the terms, conditions, plans, specifications, and all other matters relating directly or indirectly to any housing project that was previously approved by the housing finance and development corporation, including without limitation, the terms covenants, and conditions of any development agreement for a housing project between the housing finance and development corporation and an eligible developer. Authorizes the corporation to collect fees for administrative expenses incurred by the corporation to process applications for loans, grants, services, and real estate documents related to the corporation's functions. -- HB1045 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH then WAM
- HB1046 HD1 (HSCR 737) RELATING TO THE SALE OF REAL PROPERTY BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.  
Introduced by: Say C (BR)  
Amends provisions relating to prohibitions. Allows the Hawaii community development authority to sell, exchange, transfer, assign, or convey any real property located in the Kakaako community development district except for the area makai of Ala Moana boulevard, but excluding from such area the land identify by tax map key 2-1-14:16. -- HB1046 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM
- HB1047 HD1 (HSCR 685) RELATING TO IMPORTANT AGRICULTURAL LANDS.  
Introduced by: Say C (BR)  
Amends provisions relating to a petition by farmer or landowner. Allows a petitioner to seek a reclassification of land in the agricultural district provided that the land sought to be reclassified is on the same island as the land sought to be designated as important agricultural lands. Requires the commission to evaluate the suitability of the land for reclassification and that conditions imposed by the commission run with the land. -- HB1047 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WTL
- HB1048 HD1 (HSCR 693) RELATING TO LAND USE.  
Introduced by: Say C (BR)  
Establishes provisions relating conformance of county land use plans, ordinances, and rules with state land use district policies and standards. Establishes provisions related to rural district; objectives and standards. Requires each county to establish by ordinance and rules that define the policies, standards, and procedures for the use and development of land in the rural district, to include but not be limited to permissible uses, allowable density and lot sizes, standards for physical development, infrastructure a, and service levels, and design guidelines for rural development in rural centers in the rural district. -- HB1048 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WTL/ TIA/
- HB1051 HD1 (HSCR 434) RELATING TO ENERGY EMERGENCY PREPAREDNESS.  
Introduced by: Say C (BR)  
Establishes provisions relating to information and analysis required for state energy emergency planning and preparedness, mitigation, response, and recovery. Provides that the department of business, economic development, and tourism, shall use the information from all sources and from the public utilities commission to conduct systematic statistical and quantitative analyses of the State's energy resources, systems, and markets that the director determines is necessary. Provides that each major energy producer, major fuel storer, major energy transporter, major energy user, and major energy marketer shall submit to the director of business, economic development, and tourism certified statements. -- Changes the title procurement, control, distribution and sale of petroleum products to energy emergency preparedness and management. Authorizes the director of business, economic development, and tourism to acquire, use, and analyze relevant and essential information on Hawaii's energy resources, systems, and markets to effectively plan and prepare for, mitigate against, respond to, and recover from any energy emergency and preserve the State's energy security. Replaces petroleum with fuel. Allows the governor to temporarily suspend for the duration of a shortage, or until such time as the governor deems appropriate, standards which may affect or restrict the use of a substitute fuel to meet energy demand. Defines fuel product to add any fuel subject to the set aside system, including all classifications of diesel fuels, motor gasoline and all blends of motor gasoline with other fuel products, naphtha, biodiesel, ethanol, suboctane motor gasoline. -- HB1051 HD1

## HOUSE BILLS THAT PASSED THIRD READING

	Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to PSM/ ENE/ then JGO
HB1057 HD1 (HSCR 87)	RELATING TO THE STATE OF HAWAII COLLEGE SAVINGS PROGRAM. Introduced by: Say C (BR) Amends provisions relating to program requirements; college account. Allows anyone to make contributions to the account. -- HB1057 HD1 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to HRE then WAM
HB1059 HD2 (HSCR 835)	RELATING TO THE ONE CALL CENTER. Introduced by: Say C (BR) Amends provisions relating to definitions under 1 call center; advance warning to excavators law. Redefines excavation to exempt any pest control activity. Amends Act 141, session laws of 2004, as amended by Act 22, session laws of 2005, relating to the 1 call center, by repealing the sunset date. -- HB1059 HD2 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to CPN then WAM
HB1060 HD1 (HSCR 836)	RELATING TO PUBLICATION OF HEARING NOTICES. Introduced by: Say C (BR) Amends provisions relating to notices under public utilities. Requires that any public hearing held for rate, fare, charge, classification, schedule, rule or practice by any public utility be a noticed public hearing or hearings on the island or islands or county or counties on which the utility provides utility services. -- HB1060 HD1 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Single Referral to CPN
HB1061 HD1 (HSCR 387)	RELATING TO PUBLIC UTILITIES. Introduced by: Say C (BR) Establishes provisions relating to appointment of receiver for public utilities. Allows the public utilities commission to appoint a receiver to take temporary action when regulated private water utility or regulated private sewer utility is failing, or that there is an imminent threat of the utility failing, to provide adequate and reasonable service to its customers, and that such failure is a serious and imminent threat to the health, safety, and welfare of those customers of the utility. -- HB1061 HD1 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Single Referral to CPN/ TIA/
HB1062	RELATING TO GAS PIPELINE SYSTEMS. Introduced by: Say C (BR) Repeals provisions relating to gas pipeline system under public utilities commission law. -- HB1062 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Single Referral to CPN
HB1064 HD1 (HSCR 786)	MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL. Introduced by: Say C (BR) Appropriation out of the emergency and budget reserve fund (rainy day fund) to the department of human services for the health care payments program (HMS 401). (\$\$) -- HB1064 HD1 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to HMS then WAM
HB1065 HD1 (HSCR 444)	MAKING AN APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL. Introduced by: Say C (BR) Appropriation out of the emergency and budget reserve fund (rainy day fund) to the department of human services for the health care payments program (HMS 401). (\$\$) -- HB1065 HD1 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to HMS then WAM
HB1070	RELATING TO THE CODE OF FINANCIAL INSTITUTIONS. Introduced by: Say C (BR) Amends provisions relating to closing branch or agency; temporary closures by adding and relocations. Allow a Hawaii financial institution to temporarily close or relocate a branch or	

## HOUSE BILLS THAT PASSED THIRD READING

agency in the event of an emergency or for other good cause. Requires the financial institution to provide the insurance commissioner with a written notice of a temporary closure or relocation and provide a notice to the institution's customers in the form of a sign posted in a safe, conspicuous location on or in proximity to the primary public entrance of the branch or agency that have been or will be temporarily close or relocated. Amends provisions relating to savings bank law. Provides that the total amount invested in obligations of any 1 issuer to not exceed 20 per cent of the bank's or savings bank's or saving and loan association's, or trust company's, or depository financial services loan company's, capital and surplus. Provides that the total amount invested in obligations of any 1 issuer to not exceed 10 per cent of the credit union's capital. -- HB1070

Current Status: Mar=10 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to CPN

HB1071 HD3 (HSCR 802)

RELATING TO MORTGAGE SERVICERS.

Introduced by: Say C (BR)

Establishes mortgage servicers laws. Prohibits a person to engage in the business of mortgage servicing without a license from the department of commerce and consumer affairs. -- HB1071 HD3

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then WAM

HB1074 HD2 (HSCR 894)

RELATING TO INSURANCE.

Introduced by: Say C (BR)

Amends provisions relating to the department of commerce and consumer affairs. Exempts the drivers education fund underwriters fee; motorcycle and motor scooter operators education fund from the deposit into the compliance resolution fund. -- Amends provisions relating to investments. Limits investments by an insurer in non dividend paying stocks and in common trust funds, mutual funds, and exchange traded funds to 25 per cent of its asset or 100 per cent of its surplus. -- Amends provisions relating to domestic company credit for retaliatory taxes paid to other states, by adding filing deadlines. -- Repeals workers' compensation claims adjusters with claims adjusters. Adds crop insurance claims. Requires ethics training. -- Amends provisions relating to rate filings under rate regulation law. Requires an insurer to submit an electronic or printed version of the filing and accompanied by a 50 dollar fee payable to the insurance commissioner to be deposited in the commissioner's education and training fund. -- HB1074 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then WAM

HB1075

RELATING TO INSURANCE.

Introduced by: Say C (BR)

Amends provisions relating to required disclosure of rating practice to consumers. Requires an insurer to use the forms in Appendix B of the April, 2002 NAIC model long term care insurance model regulation and Appendix F of the December 2006, NAIC model long term care insurance model regulation to comply with requirements. Further requires an insurer to provide if applicable, the additional contingent benefits upon lapse provide to policies with fixed or limited premium paying periods. -- HB1075

Current Status: Mar=10 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to CPN

HB1094 HD1 (HSCR 436)

RELATING TO PERMANENCY HEARINGS.

Introduced by: Say C (BR)

Establishes provisions for permanency hearings. Requires that a permanency hearing be held within 12 months of the child's placement into out of home care or within 30 days of a judicial determination that the child is an abandoned infant or that aggravated circumstances are present and reasonable efforts to reunify a child and family are not required. Allows that a permanency hearing may be held with a review hearing. Requires that the department of human services review the child's status at least every 12 months. Establishes court responsibilities at the permanency hearing. -- HB1094 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS then JGO

HB1097 HD1 (HSCR 330)

RELATING TO ASSISTANCE FOR AGED, BLIND, AND PERMANENTLY AND TOTALLY DISABLED PERSONS.

Introduced by: Say C (BR)

Amends provisions relating to aged, blind, and permanently and totally disabled person; eligibility for assistance. Requires a person to be eligible for state funded public assistance by the allowance for the aged, blind, and permanently and totally disabled persons to not exceed 62 and

## HOUSE BILLS THAT PASSED THIRD READING

1/2 per cent of the standard need. Requires the department of human services to adopt rules and determine the allowance for the aged, blind, and permanently and totally disabled persons based upon the total amount appropriated for the aged, blind, and permanently and totally disabled persons; a method for determining allowance amounts and other necessary provisions to implement public assistance to aged, blind, and permanently and totally disabled persons. -- HB1097 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS then WAM

HB1098 HD2 (HSCR 959)

RELATING TO GENERAL ASSISTANCE.

Introduced by: Say C (BR)

Amends provisions relating to determination of amount of assistance. Repeals the requirement that the director of human services to determine the allowance for general assistance to households without minor dependents based upon the total amount appropriated for general assistance. Amends provisions relating to general assistance to households without minor dependents. Provides state funded public assistance requires the department of human services to consider a person between 18 and 65 years of age with a disability to be eligible for general assistance to households without minors dependents for a period not to exceed 24 months and any month in which a person receives assistance pending an eligibility determination for the federal Supplemental Security Income Program or a successor program shall not be counted towards the 24 month limit. -- HB1098 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS then WAM

HB1101 HD1 (HSCR 334)

RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES.

Introduced by: Say C (BR)

Amends provisions relating to investigators; authority and access to records. Requires the department of human services to investigate incidents at the Hawaii youth correctional facilities. -- HB1101 HD1

Current Status: Mar=06 09 Introduction/Passed First Reading - Senate  
Mar=10 09 Multiple Referral to HMS then JGO

HB1103

RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS.

Introduced by: Say C (BR)

Repeals provisions relating to statewide council on independent living. -- HB1103

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS then WAM

HB1125 HD2 (HSCR 919)

RELATING TO CERTAIN FUNDS UNDER THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS.

Introduced by: Say C (BR)

Amends provisions relating to unemployment compensation fund; establishment and control. Replaces special fund with trust fund. Amends provisions relating to establishment of special premium supplementation fund by replacing special with trust. Appropriation out of the special fund for disability benefits to the department of labor and industrial relations for the automation of the workers compensation temporary disability insurance, and prepaid health care program. (\$\$) -- HB1125 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to LBR then WAM

HB1141 HD1 (HSCR 680)

RELATING TO THRILL CRAFT OPERATION.

Introduced by: Say C (BR)

Amends provisions relating to operation of thrill craft; parasailing; water sledding; commercial high speed boating. Authorizes government personnel and film production permit holders conducting operations approved by the department of land and natural resources to operate a thrill craft. Provides that thrill craft be assessed the same fees that applies to vessels. -- HB1141 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WTL/ EDT/

HB1144 HD1 (HSCR 682)

RELATING TO CONSERVATION OF THREATENED AND ENDANGERED SPECIES.

Introduced by: Say C (BR)

Amends provisions relating to definitions, conservation of aquatic life, wildlife, and land plants. Defines certificate of inclusion to mean a type of license that is used to enroll interested landowners into a programmatic safe harbor agreement or programmatic habitat conservation plan and extends coverage of an incidental take license to those landowners identified in the

## HOUSE BILLS THAT PASSED THIRD READING

agreement or plan and who subsequently enroll in the agreement or plan. Defines programmatic habitat conservation plan to mean a habitat conservation plan that covers multiple landowners or a class of landowners and over a wide area or region. Defines programmatic safe harbor agreement to mean a safe harbor agreement that covers multiple landowners or a class of landowners and over a wide area or region. Provides that after consultation with the endangered species recovery committee, the board of land and natural resources may issue a temporary license as a part of a habitat conservation plan or programmatic habitat conservation plan to allow a take otherwise prohibited, if the take is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. -- HB1144 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WTL

HB1145 HD1 (HSCR 923)

RELATING TO REMNANT LANDS.

Introduced by: Say C (BR)

Amends provisions relating to remnant. Repeals the consolidation and use requirements for the sale of a state land remnant. Requires that proceeds from the sale of a state land remnant be deposited in the land conservation fund. -- HB1145 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM

HB1148 HD1 (HSCR 670)

RELATING TO PUBLIC AGENCY MEETINGS.

Introduced by: Say C (BR)

Amends provisions relating to notice of board meetings. Defines the state calendar as an internet website designed as the state calendar on the official website of the State. Adds emergency meetings to the list of meetings that require the board to give notice. Requires the notice to be posted 6 calendar days before the meeting and by electronic posting on the state calendar. Amends provisions for emergency meetings to indicate that an emergency agenda and findings are filled electronically. -- HB1148 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO

HB1152 HD1 (HSCR 584)

RELATING TO COMMITTED PERSONS' ACCOUNTS.

Introduced by: Say C (BR)

Amends provisions relating to custody of moneys; accounts for committed person, etc. Requires the department of public safety to deposit into 1 or more accounts with 1 or more financial institutions and require the department maintain accounts for each committed person and to allow committed persons the use of their funds for approved expenses and purchases during incarceration. Prohibits interest to be paid to a committed person on any account maintained by the department. Requires the department to provide quarterly accounting statements to all committed persons held in custody for over 1 quarter of the year and conduct annual audits. -- HB1152 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then WAM

HB1153 HD2 (HSCR 757)

RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.

Introduced by: Say C (BR)

Amends income tax provisions to conform the Hawaii income tax law to the Federal Internal Revenue Code. -- HB1153 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM

HB1163 HD2 (HSCR 887)

RELATING TO HARBORS.

Introduced by: Say C (BR)

Amends provisions relating to rules under harbors law. Allows the director of transportation to adopt rules as necessary to examine, guide, and control harbor masters and their assistants and their conduct while on duty; control the embarkation or disembarkation of passengers; and regulate the expeditious and careful handling of freight, goods, wares, and merchandise of every kind that may be delivered for shipment. Allows the director of transportation to adopt, amend, and repeal rules as necessary to require any person who uses State harbor property to defend, indemnify, and hold harmless, the State and any of its agencies, officers, and employees, from and against all liability, loss, damages, cost and expense, including attorneys' fees, and all claims, suit, and demands arising out of or resulting from such use or occupation. -- HB1163 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then JGO

## HOUSE BILLS THAT PASSED THIRD READING

- HB1165 RELATING TO HARBORS.  
Introduced by: Say C (BR)  
Amends provisions relating to rules under harbors law. Allows the director of transportation to adopt rules, amend and repeal rules as necessary for the proper regulation and control of all shipping, traffic, and other related activities; the entry, departure, mooring, and berthing of vessels; in the commercial harbors and activities in the commercial harbor. Requires the director to establish safety measures and security requirements in or about the commercial harbors, land, and facilities belonging to or controlled by the State. -- HB1165  
Current Status: Mar=06 09 Introduction/Passed First Reading - Senate  
Mar=10 09 Single Referral to TIA
- HB1166 HD1 (HSCR 888) RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND.  
Introduced by: Say C (BR)  
Amends provisions relating to passenger facility charge special fund. Allows the director of transportation to use appropriated funds paid into the passenger facility charge special fund for airport capital improvement program project approved by the legislature and as permitted under the Aviation Safety and Capacity Expansion Act. Act to be repealed on July 1, 2023 (sunset). -- HB1166 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then WAM
- HB1167 HD2 (HSCR 895) RELATING TO HIGHWAYS.  
Introduced by: Say C (BR)  
Changes the fuel tax, state motor vehicle registration fee, vehicle weight tax for any island with a population of more than 20,000, and rental motor vehicle and tour vehicle surcharge tax. Changes the rental motor vehicle and tour vehicle surcharge tax. -- Authorizes the department to issue highway revenue bonds for various capital improvement projects and programs. -- Allows the department of taxation to refund motor vehicle fuel taxes paid by participants in pilot programs. -- Authorizes the department of transportation to execute a master agreement with a consultant to be the overall program manager. Appropriation of an additional amount of highway revenue bonds and the sum of 1 dollar of federal funds. Reports to the legislature. -- Requires the department of transportation to establish a vehicle miles traveled pilot program to evaluate a vehicle miles traveled user fee. Further requires the department to develop 1 or more pilot programs to test alternatives to state and county motor vehicle fuel taxes. -- (\$\$) -- HB1167 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then WAM
- HB1168 HD2 (HSCR 889) RELATING TO AIRPORTS.  
Introduced by: Say C (BR)  
Amends provisions relating to rules under aeronautics law. Allows the director of transportation to adopt, amend, and repeal rules as necessary to require any person who uses or occupies the airport land, buildings, and facilities for business or commercial purposes, to defend, indemnify, and hold harmless, the State and any of its agencies, officers, and employees from and against all liability, loss, damages, cost and expense, including attorneys' fees, and all claims, suit, and demands arising out of or resulting from such use or occupation of airport land, buildings, and facilities. Requires the department to adopt rules to regulate tour aircraft operations by permit include a written assessment of the impact of the tour aircraft operation to the surrounding area and to the subject state airport. Redefines sterile passenger holding area to mean any portion of a public airport designated by the director and identified by appropriate signs as an area into which access is conditioned upon the prior inspection of persons and property in accordance with the approved federal aviation administration (FAA) air carrier screening program. -- HB1168 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then JGO
- HB1174 HD3 (HSCR 966) RELATING TO THE UNIVERSITY OF HAWAII.  
Introduced by: Say C (BR)  
Establishes provisions relating to Mauna Kea management special fund. Authorizes the board of regents of the university of Hawaii to regulate activities within the Mauna Kea lands and to establish rents, fees, and charges for the lease or use of university real property and facilities within the Mauna Kea lands. Requires all revenues, rents, fees, charges, assessments, fines and other money to be deposited into the fund. Allows the board to establish separate accounts within the special fund for major program activities and to expend funds for enforcement of rules, oversight and management of the lands. Provides that expenditures from the fund shall be subject to legislative appropriation. Establishes fines for violations of rules relating to Mauna Kea lands. -- HB1174 HD3  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate

## HOUSE BILLS THAT PASSED THIRD READING

Mar=12 09 Multiple Referral to HRE/ WTL/ then WAM

- HB1175 HD3 (FLOOR AMENDMENT 3) RELATING TO TAXATION.  
Introduced by: Say C (BR)  
Amends provisions relating to the cigarette tax and tobacco tax law. Increases the tax on cigarettes. -- HB1175 HD3  
Current Status: Mar-12 09 Passed Third Reading House
- HB1184 HD2 (HSCR 762) RELATING TO STATE GOVERNMENT.  
Introduced by: Say C (BR)  
Establishes requirements for contracts for goods, services, construction, or health and human services using federal funds authorized by the American Recovery and Reinvestment Act of 2009, and matching state funds. Provides that selection of a contractor or contractors shall be based on the criteria established by in the solicitation. -- Amends provisions in the civil service and exemptions. Exempts positions or contracts for services with private persons or entities for services lasting up to 2 years where the director of human resources development has certified that the service is necessary to the efficient and timely implementation of programs authorized or funded by the Recovery and Reinvestment act. Waives the expenditure ceiling on the use of temporary assistance for needy families program funds (TANF) in order for the department of human services to utilize funds provided by the Recovery Act. Act repealed on June 30, 2012 (sunset). -- HB1184 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO/ LBR/ WAM/
- HB1186 HD1 (HSCR 668) RELATING TO HOUSING DEVELOPMENT.  
Introduced by: Cabanilla R, Brower T, Chong P  
Amends provisions relating to powers; generally, of the Hawaii community development corporation. Prohibits the authority from permitting any person to make cash payments in lieu of providing reserved housing, except to account for any fractional unit that results after calculating the percentage requirement against residential floor space or total number of units developed. -- HB1186 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to EDH/ WTL/
- HB1187 HD1 (HSCR 381) RELATING TO THE HOMELESS.  
Introduced by: Cabanilla R, Brower T, Chong P, Chang J  
Establishes provisions relating to return to home program. Provides for eligible homeless with assistance to be reunited with their families and relative in the person's home state. Requires the Hawaii public housing authority to administer the program and adopt the standards and framework necessary to implement the program. Further requires the authority to actively seek the participation of local airlines, cruise lines, charter companies, homeless programs, travel agencies, and the visitor industry to implement and coordinate the program. Appropriation. (\$\$) -- HB1187 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS then WAM
- HB1188 HD1 (HSCR 619) RELATING TO AFFORDABLE HOUSING.  
Introduced by: Cabanilla R, Chong P, Chang J  
Amends provisions relating to land use density and infrastructure; low income rental units. Allows the counties to provide flexibility in land use density provisions and public facility requirements to encourage the development of any rental housing project 50 per cent of rental units are set aside for persons and families with income at or below 100 per cent of the area median family income. -- HB1188 HD1  
Current Status: Feb=24 09 Introduction/Passed First Reading - Senate  
Feb=25 09 Single Referral to EDH/ TIA/
- HB1204 HD2 (HSCR 871) RELATING TO TOURISM.  
Introduced by: Say C  
Amends provisions relating to the transient accommodations tax. Provides that for fiscal years 2009 - 2010 and 2010 - 2011, \_\_\_\_ dollars or all remaining revenues, whichever is less be deposited into the tourism special fund. -- HB1204 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TSM then WAM
- HB1207 HD1 (HSCR 778) RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT.  
Introduced by: Say C, McKelvey A



## HOUSE BILLS THAT PASSED THIRD READING

Amends provisions relating to community based development. Repeals the provisions that prohibits the department of business, economic development and tourism to reallocate funds from the loan program to the grant program so that insufficient funds remain available to make loans. Reduces the maximum amount of outstanding balance on all loans to 1 applicant and reduces the maximum interest allowed. -- HB1207 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDT then WAM

HB1212 HD1 (HSCR 673)

RELATING TO INFORMATION PRACTICES.

Introduced by: Say C, Yamane R

Amends provisions relating to disclosure required. Repeals the exemption of records of complaints including depositions as an example of information in which the individual has a significant privacy interest. -- HB1212 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO

HB1218 HD1 (HSCR 728)

RELATING TO CAPITAL IMPROVEMENT PROJECTS.

Introduced by: Say C, Chong P

Authorizes the issuance of general obligation bonds for appropriation to the department of budget and finance for planning, design, construction, and equipment for improvements to state infrastructure and facilities within the boundaries of the city and county of Honolulu, county of Maui, county of Hawaii, and county of Kauai. Requires counties to appropriate county funds. (\$\$) -- HB1218 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then WAM

HB1221 HD1 (HSCR 803)

RELATING TO AFFORDABLE HOUSING PROJECTS.

Introduced by: Say C, Cabanilla R

Authorizes the issuance of general obligation bonds for appropriation to the department of budget and finance to be apportioned between the Hawaii housing finance and development corporation and the Hawaii public housing authority for affordable housing projects. Allows appropriation to be used to match federal funds for capital improvement projects under federal fiscal stimulus legislation. (\$\$) -- HB1221 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH then WAM

HB1226 HD1 (HSCR 692)

RELATING TO GENETICALLY MODIFIED PLANT ORGANISMS.

Introduced by: Say C

Establishes the genetically modified plant organisms law. Prohibits any state or county administrative action to ban or restrict a person from genetically modifying any plant organism if performed in accordance with a valid permit from a relevant federal agency. Prohibits any county regulatory action to ban or otherwise regulate the genetic modification of any plant organism. -- HB1226 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE/ TIA/ then WTL

HB1229 HD1 (HSCR 689)

RELATING TO NOTICE.

Introduced by: Say C

Amends provisions relating to the power to enjoin and temporarily restrain harassment. Allows the court to authorize publication of the hearing on petition for injunction against harassment and of injunction after hearing if the petitioner does not know the address or residence of the respondent. -- HB1229 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO

HB1231 HD1 (HSCR 738)

RELATING TO HAWAII HEALTH SYSTEMS CORPORATION.

Introduced by: Say C

Establishes within the Hawaii health systems corporation, a corporate transition management team to develop a plan that includes providing for a general downsizing of the corporation's operations, determining what functions should be retained by the corporation, eliminating legal staff services from within, and establishing negotiations with local law firms to represent the corporation; establishing negotiations with local accounting firms to set up an accounting system for both corporate and regional operations of the corporation; developing a functional and efficient electronic medical records system; establishing a new corporate board that includes the corporation's regional chief operating officers to manage the corporate functions; giving each regional system board human resources functions; and moving toward more regional control of

## HOUSE BILLS THAT PASSED THIRD READING

the corporation. Report to the legislature. -- HB1231 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then WAM

HB1232 HD1 (HSCR 804)

RELATING TO SUSTAINABLE AFFORDABLE HOUSING.

Introduced by: Say C

Establishes provisions relating to sustainable affordable housing developed on state land. Requires that residential property developed or leased from the State or any department, agency or instrumentality thereof, \_\_\_\_ per cent of the total residential floor area in the development shall constitute affordable housing and be sold pursuant to sustainable affordable leases. Requires the provisions to be incorporated in any deed, lease, agreement of sale, or any other instrument of conveyance issued by the seller of the dwelling unit. -- Amends provisions relating to real property; restrictions and transfer; waiver of restrictions. Requires that after the 10th year from the date of purchase, the purchaser may sell the property for total consideration that does not exceed the maximum resale price, and the same resale requirements will apply to each successive owner. Establishes provisions relating to residential projects; cooperative agreements. Requires that any residential project constructed with the community development district meet the requirements that not less than 20 per cent of the total residential floor area in the residential project be reserved housing and if sold sustainable affordable leases, and increased to 25 per cent with respect to planned development located on lots of 3 acres or more or that are part of a master planned area. -- HB1232 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH then WTL

HB1260 HD1 (HSCR 623)

RELATING TO GOVERNMENT.

Introduced by: Say C

Establishes provisions relating to state securitization account. Establishes the state securitization account within the department of budget and finance to which all excess non general funds will be transferred to meet qualifications imposed upon the State with respect to the issuance of general obligation bonds. Report to the legislature. -- Establishes provisions relating to capital improvement projects; use of non general funds. Only funds from the state securitization account can be used for financing capital improvement projects. Requires all capital improvement projects to be financed by the issuance of general obligation bonds. -- Amends provisions relating to short term investment of state moneys. -- HB1260 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to JGO then WAM

HB1270 HD1 (HSCR 299)

RELATING TO RENEWABLE ENERGY.

Introduced by: Morita H, Evans C, Thielen C, Tsuji C, Nishimoto S, Lee C, Coffman D

Amends provisions relating to utilization of electricity generated from non fossil fuels under public utilities commission law. Repeals the authority to determine the just and reasonable rate for the nonfossil fuel generated electricity supplied to the public utility by the producer. -- HB1270 HD1

Current Status: Mar=06 09 Introduction/Passed First Reading - Senate  
Mar=10 09 Multiple Referral to ENE then CPN

HB1271 HD3 (HSCR 931)

RELATING TO GOVERNMENT.

Introduced by: Morita H, Oshiro B, Thielen C, Nishimoto S

Establishes provisions relating to the food security special fund; establishment. Deposits from the environmental response, energy, and food security tax, appropriations from the legislature, any grant or donation, and interest earned on the balance shall be deposited into the fund. Allows expenditure for grants to farmers for agricultural production or processing activities. -- Amends provisions relating to the environmental response revolving fund; uses. -- Changes the environmental response tax to the environmental response, energy, and food security tax. Changes the tax and adds that portions go into the environmental response revolving fund, the energy security special fund, the energy systems development special fund, the food security special fund, and the general fund. -- Establishes the Hawaii economic development task force within the department of business, economic development, and tourism to develop and maintain a broad overview of the issues that applies an interdisciplinary approach to ensuring that energy and food policy development is integrated within the overall economic, social, environmental, and cultural aspects of society. Allows the department to contract with the university of Hawaii for any services to support the work of the task force. Report to the legislature. Task force to cease to exist on June 30, 2011 (sunset). Appropriation. -- Suspends from July 1, 2009 to June 30, 2012 (sunset) the ethanol content requirement. Requires the governor to petition the US environmental protection agency for a waiver of the ethanol blending obligation under the US energy security act. (\$\$) -- HB1271 HD3

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate

## HOUSE BILLS THAT PASSED THIRD READING

Mar=12 09 Multiple Referral to WTL/ ENE/ EDT/ then WAM

- HB1272 HD1 (HSCR 719) RELATING TO ELECTRONIC WASTE RECYCLING.  
Introduced by: Morita H, Thielen C, Lee C, Chang J, Coffman D  
Amends provisions relating to electronic waste recycling act. Provides that the term manufacturer shall not include persons who manufacture computers. -- HB1272 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to ENE
- HB1273 HD1 (HSCR 647) RELATING TO ENERGY.  
Introduced by: Morita H, Evans C, Thielen C, Tsuji C, Lee C, Coffman D, Nishimoto S  
Amends provisions relating to placement of clotheslines. Adds that no person shall be prevented from erecting and using a clothesline for the purpose of drying clothes on the premises of any single family residential dwelling or townhouse that the person owns; provided that every private entity may adopt rules that reasonably restriction the placement of the clothesline so long as the restrictions do not prohibit clotheslines altogether. Prohibits fees for the placement of any clothesline. -- HB1273 HD1  
Current Status: Mar=06 09 Introduction/Passed First Reading - Senate  
Mar=10 09 Multiple Referral to ENE then CPN
- HB1284 HD1 (HSCR 787) RELATING TO HEALTH.  
Introduced by: Mizuno J, Brower T  
Appropriation to the department of human services to increase payments for physician services for the care of medicaid eligible persons, including fee for service and QUEST physician services. Requires the sum to be equitably distributed between medicaid fee for service physician services and health plans that provide QUEST physician services and the increased moneys shall not exceed \_\_\_\_ per cent of the current medicare fee schedule applicable to Hawaii. Reports to the legislature. (\$\$) -- HB1284 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS/ HTH/ then WAM
- HB1289 HD2 (HSCR 960) RELATING TO PROCUREMENT.  
Introduced by: Rhoads K  
Establishes provisions relating to construction contracts; registered apprenticeship agreement preference. Requires that an offeror for a construction contract with a total estimated value of 250.000 dollars or more that maintains a registered apprenticeship agreement and abide by the applicable apprentice-to-journey work ratio specified in the apprenticeship agreement be given 5 per cent preference for the contract. Requires that at the time of general bidding, offerors furnish written proof of their maintenance of a registered apprenticeship agreement and certify in writing on a monthly bases, their maintenance of the registered apprenticeship agreement for the entire duration of their work on the project. Specifies sanctions for failure to comply. -- HB1289 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO
- HB1293 HD2 (HSCR 813) RELATING TO LAW ENFORCEMENT.  
Introduced by: Tsuji C, Evans C, Souki J, Magaoay M, Yamashita K, Chang J, Hanohano F, Takai K, Nakashima M, Manahan J  
Appropriation to the city and county of Honolulu, the county of Maui, the county of Kauai, and the county of Hawaii for grants in aid to the department or office of the prosecuting attorney each county for the career criminal prosecution unit and the victim witness assistance program, including the hiring of necessary staff. (\$\$) -- HB1293 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA/ JGO/ then WAM
- HB1316 HD2 (HSCR 708) RELATING TO TORTS.  
Introduced by: Karamatsu J  
Establishes provisions relating to design professional or public utility as a tortfeasor. Provides that in any case where a design professional or public utility is determined to be a tortfeasor along with 1 or more other tortfeasors, the design professional or public utility shall be liable for no more than that percentage share of damages attributable to the design professional or public utility for tort claims relating to the maintenance and design of public highways, except when the design professional's or public utility's degree of negligence is 25 per cent or more. -- HB1316 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO

## HOUSE BILLS THAT PASSED THIRD READING

- HB1351 HD2 (HSCR 702) RELATING TO PRIVATE AGRICULTURAL PARKS.  
Introduced by: Evans C  
Establishes the private agricultural parks law. Authorizes the owners of 1 or more contiguous parcels including public lands within the agricultural district to establish a private agricultural park. -- HB1351 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WTL
- HB1354 HD2 (HSCR 788) RELATING TO CHILDREN.  
Introduced by: Mizuno J, Brower T  
Appropriation out of general revenues and temporary assistance for needy families (TANF) funds to the department of human services to maintain the current support services provided by the healthy start program. Appropriation out of temporary assistance for needy families funds to the department of human services for the healthy start program, including enhanced healthy start, to hire a child development specialist or clinical specialist, and for provider training. (\$\$) -- HB1354 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS then WAM
- HB1362 HD1 (HSCR 186) RELATING TO GENETIC COUNSELORS.  
Introduced by: Magaoay M  
Establishes genetic counselors law. Defines genetic counseling practice to mean the rendering of professional counseling services based on specialized education and training that includes the communication process which deals with the human problems associated with the occurrence, or the risk of occurrence, of a genetic disorder. -- Establishes a genetic counseling licensure program within the department of commerce and consumer affairs. Establishes powers and duties of the director. Authorizes the director to examine and approve the qualifications of all applicants and issue a license to each successful applicant granting permission to use the title of licensed genetic counselor or genetic counselor in this State. Requires the department of health's genetics program to assist with the implementation of this law. Establishes prohibited acts; penalties. -- HB1362 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to HTH/ CPN/
- HB1364 HD1 (HSCR 789) RELATING TO THE BUDGET.  
Introduced by: Choy I, Wooley J, Keith-Agaran G, Lee C, Coffman D, Aquino H, Nakashima M  
Amends provisions relating to reporting requirements. Requires the governor or the director of finance to report restrictions of appropriations to the legislature. -- HB1364 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM
- HB1371 HD1 (HSCR 810) RELATING TO HEALTH CARE.  
Introduced by: Yamane R, Nishimoto S, Oshiro M, Herkes R, Yamashita K, Oshiro B, Chong P, Ito K, Say C  
Appropriation out of the American Recovery and Reinvestment Act of 2009 to the department of health for increased medicaid reimbursements, disproportionate share hospital payments, and Hawaii childrens' health care program. Requires that funds may not be replaced by federal funds or decreased because of the availability of federal funds. Allows the governor to approve the expenditure of federal funds only if it is made for the benefit of the public. (\$\$) -- HB1371 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH/ HMS/ then WAM
- HB1372 RELATING TO THE TRANSITIONING OF THE REGIONS AND FACILITIES OF HAWAII HEALTH SYSTEMS CORPORATION.  
Introduced by: Yamane R, Souki J, McKelvey A, Yamashita K, Keith-Agaran G  
Establishes provisions relating to transition to a corporation or corporations under hospitals and medical facilities. Authorizes any of the regional systems or individual facilities of the Hawaii health systems corporation to transition into a new legal entity including a nonprofit corporation, for profit corporation, municipal facility, public benefit corporation, or any 2 or more of the entities upon approval of the appropriate regional system board or the corporation board and regional system boards. Requires each regional system board and each community hospital under the jurisdiction of the corporation collaborate with community health centers within their respective geographic jurisdictions to maximize funding from the state and federal government. Requires each regional system board to have the powers, duties, and responsibilities that are specific to the regional system board. Exempts contracts made by the Hawaii health systems corporation from the Hawaii public procurement code. Requires the corporation and each regional system

## HOUSE BILLS THAT PASSED THIRD READING

board to notify the speaker of the house of representatives; president of the senate; and chairperson of the respective subject matter committee for health in each house within 30 days of any substantial reduction or elimination of direct patient care services. -- HB1372

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then WAM

HB1373 HD1 (HSCR 210)

RELATING TO HEALTH.

Introduced by: Yamane R, Carroll M, Nishimoto S

Appropriation to the department of health for direct health care services to uninsured residents, including medical, dental, and behavioral health care through nonprofit, community based health care providers. Allows distribution of funds to be on a per visit basis. (\$\$) -- HB1373 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH/ HMS/ then WAM

HB1376 HD1 (HSCR 841)

RELATING TO EDUCATION.

Introduced by: Takai K

Establishes the facilities alignment commission attached to the department of education to establish criteria for the selection of public schools to be consolidated or closed; recommend, based upon these criteria, a list of schools for consolidation or closure, subject to the review of the legislature; and direct the board of education to proceed with the process of consolidating or closing underused schools according to the recommendations of the commission, if the legislature does not disapprove of the recommendations in their entirety. Allows the commission to have access to all records in the department of education pertinent to its duties and may request research and analysis assistance from the department. Requires the department to submit to the commission a school facilities plan. Requires the commission to establish criteria to select schools to be consolidated, other than charter schools; and underused schools to be closed other than charter schools. Requires the commission to hold public hearings and make available to the public draft copies of its proposed criteria. Report to the legislature. Commission to terminate upon adjournment of the regular session of 2011 (sunset). Appropriation. (\$\$) -- HB1376 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH then WAM

HB1378 HD2 (HSCR 932)

RELATING TO ADVANCED PRACTICE REGISTERED NURSES.

Introduced by: Lee M, Mizuno J, Cabanilla R, Evans C

Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for care provided by participating advanced practice registered nurses to the extent that the policy provides benefits for identical services rendered by another health care provider. -- Establishes provisions relating to signature authority. Authorizes advanced practice registered nurses to sign, certify, or endorse all documents relating to health care for their patients, including but not limited to workers' compensation verification documents, verification and evaluation forms from the department of human services and the department of education, verification and authorization forms from the department of health, and physical examination forms. Allows the board of nursing to grant prescriptive authority to qualified or currently recognized, or both advanced practice registered nurses and are authorized to diagnose, prescribe, and institute therapy or referrals of patients to health care agencies, health care providers, and community resources. -- HB1378 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then CPN

HB1379 HD2 (HSCR 814)

RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT.

Introduced by: Lee M, Cabanilla R, Luke S, Morita H, Lee C, Karamatsu J, Rhoads K

Establishes the physician orders for life sustaining treatment law. Allows a patient and a patient's surrogate to choose to execute or not execute life sustaining treatment. -- HB1379 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then JGO

HB1388 HD1 (HSCR 290)

RELATING TO AIRPORT CONCESSIONS.

Introduced by: Souki J, Awana K

Requires the governor or the director of transportation to adjust and modify existing airport concession leases and contracts. -- HB1388 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then WAM

HB1390 HD2 (HSCR 920)

RELATING TO WORKERS' COMPENSATION.

Introduced by: Souki J, Yamashita K

## HOUSE BILLS THAT PASSED THIRD READING

Amends provisions relating to medical care, services, and supplies. Effective January 1, 2010, and for each succeeding calendar year thereafter, the workers compensation charges shall not exceed \_\_\_\_ per cent of fees prescribed in the Medicare Resource Based Relative Value Scale system. -- HB1390 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to LBR then WAM

HB1404 HD1 (HSCR 748)

RELATING TO GENERAL EXCISE TAX.

Introduced by: Tokioka J

Amends Act 239, session laws of 2007, which provides that the general excise tax exemption includes amounts received by a submanager of an association of apartment owners of a condominium property regime or a nonprofit homeowners or community association in reimbursement for sums paid for common expenses and further provides a general excise tax exemption for amounts received by the operator of a hotel from the owner of the hotel to include amounts from a timeshare association and amounts received by the suboperator of a hotel from the owner of the hotel, from a timeshare association, or from the operator of the hotel, by repealing the sunset date. -- HB1404 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then WAM

HB1405 HD2 (HSCR 779)

RELATING TO THE GENERAL EXCISE TAX.

Introduced by: Choy I

Amends provisions relating to business, engaging in business, defined under general excise tax laws. Redefines engaging to include the sale of tangible personal property by a person soliciting business through an independent contractor if the person enters into an agreement with a resident for a commission or other consideration, directly or indirectly refers potential customers, and sales are in excess of 10,000 dollars. -- HB1405 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then WAM

HB1414 HD1 (HSCR 705)

RELATING TO METAL.

Introduced by: Oshiro B, Karamatsu J

Amends Act 197, session laws of 2007, as amended by Act 16, session laws of 2008, relating to theft of copper by repealing the sunset date. -- Amends Act 53, session laws of 2008, relating to theft of beer kegs by repealing the sunset date. -- HB1414 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO

HB1415 HD1 (HSCR 690)

RELATING TO SERVICE OF PROCESS.

Introduced by: Oshiro B, Karamatsu J

Establishes provisions relating to service of process under planned community associations law. Requires that each board of directors of an association of condominiums or planned community to establish a policy to provide reasonable access to process servers. Establishes provisions relating to service of process under horizontal property regimes. Requires the board of directors of condominium property regime to establish a policy to provide reasonable access to process servers. Establishes provisions relating to service of process within a condominium, cooperative housing, or planned community. Requires that each board of directors of an association of apartment owners of a condominium, cooperative housing corporation, or a planned community association to establish a policy to provide reasonable access to the building or community to process servers. -- HB1415 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO

HB1417 HD2 (HSCR 927)

RELATING TO MOBILE BILLBOARDS.

Introduced by: Oshiro B, Brower T, Lee C, Luke S

Amends provisions relating to vehicular advertising prohibited; penalty by replacing vehicular advertising with mobile billboards. Allows businesses to display an advertising device on vehicles or trailers that is regularly driven or moved as part of the day to day operations of a business; and carries or displays an advertising device that relates to that business. Replaces vehicular advertising definition with advertising device. -- HB1417 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO

HB1422 HD1 (HSCR 720)

RELATING TO ABANDONED VEHICLES.

Introduced by: Nishimoto S (BR)

Amends provisions relating to disposition by counties of certain abandoned vehicles. Adds that

## HOUSE BILLS THAT PASSED THIRD READING

a vehicle is abandoned if it is left unattended for a continuous period of more than 24 hours and it is unlawfully parked on private road or private lands defined as a setback, shoulder, easement, or right of way that is adjacent to or part of a private highway. Provides that a vehicle on a private road shall be considered unlawfully parked if it is not operable and the owner or at least one of the co owners of the private road requests in writing to the appropriate county authority for the removal of the vehicle. Requires that the owner of the private road requesting removal of an abandoned vehicle pay the county for the removal of the vehicle and is deemed to agree to indemnify and hold the county harmless for any claims against the county for the removal and disposal of the vehicle. -- HB1422 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then JGO

HB1429 HD2 (HSCR 780)

MAKING AN APPROPRIATION FOR THE ABOUT FACE PROGRAM.

Introduced by: McKelvey A, Souki J, Carroll M

Appropriation out of the federal temporary assistance for needy families (TANF) funds to the department of human services for the about face family of programs. Requires the department to work with the department of defense. (\$\$) -- HB1429 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS/ PSM/ then WAM

HB1433 HD2 (HSCR 844)

RELATING TO INVASIVE SPECIES.

Introduced by: Tsuji C, Magaoay M, Yamane R, Wooley J, Evans C, McKelvey A, Herkes R, Chong P, Manahan J, Chang J, Ito K, Nakashima M, Karamatsu J

Establishes provisions relating to failure to pay or remit the inspection, quarantine, and eradication service fee; fines. Establishes fines. Exempts liquid bulk freight and cement bulk freight from the fee. -- HB1433 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA/ WTL/ then WAM

HB1436 HD1 (HSCR 428)

RELATING TO AGRICULTURE.

Introduced by: Ito K, Magaoay M, Karamatsu J, Chang J

Amends provisions relating to permissible uses within the agricultural districts with soil classifications of A or B to include educational appurtenances of a farming operation. Allows agricultural education program conducted on a farm operation for the education and participation of the general public, provided that the agricultural education programs are accessory and secondary to the principal agricultural use of the parcels or lots on which the agricultural education programs are to occur and do not interfere with the surrounding farm operations. -- HB1436 HD1

Current Status: Mar=06 09 Introduction/Passed First Reading - Senate  
Mar=10 09 Multiple Referral to EDH then WTL

HB1438 HD1 (HSCR 433)

RELATING TO MORTGAGE LOAN ORIGINATORS.

Introduced by: Herkes R (BR)

Repeals the mortgage brokers and solicitors law and replaces it with the mortgage brokers and loan originators law. Prohibits a person to engage in the business of a mortgage loan originator without a license. -- Amends provisions relating to criminal history record check under criminal data center law. Requires the department of commerce and consumer affairs to conduct a criminal history record checks on the applicant, or any of its officers, directors, partners, members, managers, employees or agents, if it is an applicant for a mortgage broker or a loan originator. Appropriation out of the compliance resolution fund. (\$\$) -- HB1438 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then WAM

HB1439 HD1 (HSCR 492)

RELATING TO INSURANCE.

Introduced by: Herkes R (BR)

Amends provisions relating to life settlements. -- HB1439 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to CPN

HB1443 HD2 (HSCR 771)

RELATING TO HOME OCCUPATIONS.

Introduced by: Cabanilla R, Brower T

Establishes provisions relation to home occupation. Authorizes the owner of a home occupation to employ up to 2 non occupant, non family member employees, receive 1 courier visit per day, and service up to 5 customers per day. Allows a county to regulate activities of owners of home occupations that are disruptive to the surrounding neighborhood or are a source of unreasonable noise or noxious fumes. Defines home occupation as a business operated from a residential

## HOUSE BILLS THAT PASSED THIRD READING

dwelling by the owner occupant of the residential dwelling, but shall not include bed and breakfasts, transient vacation rentals, or other tourist accommodation businesses, trade activities, including carpentry, or halfway houses. -- HB1443 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then CPN

HB1451 HD2 (HSCR 908)

RELATING TO TAXATION.

Introduced by: Wakai G, Ward G, Finnegan L, Mizuno J, Nishimoto S, Ito K, Tsuji C, Takai K  
Amends provisions relating to the income tax law. Establishes provisions relating to tax credits; ineligibility. Provides that a taxpayer shall be ineligible if grants or moneys received from the federal, state, or county government were used to pay the costs incurred or investments made with such funds were used as the basis of the claim for the tax credit. Redefines investment to disqualify investment repaid in any form within 5 years of the date of investment. Repeals the provision that section 704 of the Internal Revenue Code shall not apply to allocations of the high technology business investment tax credit or of the net operating loss pursuant to high technology; sale of unused net operating loss carryover. Requires the department of taxation to assess a fee from comfort letters and for certification. Amends the high technology business investment tax credit by establishing an aggregate limit. -- Amends Act 206, session laws of 2007. -- HB1451 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDT then WAM

HB1464 HD3 (HSCR 961)

RELATING TO ENERGY RESOURCES.

Introduced by: Morita H, Marumoto B, Shimabukuro M, Nishimoto S, Cabanilla R, Mizuno J, Oshiro B, Lee C, Belatti D, Say C, Awana K, Chang J, Manahan J, Evans C, Thielen C, Pine K  
Establishes provisions relating to new electrical generation facility; permit prohibition. Prohibits state and county agencies from issuing a permit to any applicant for the construction or operation of a new electrical generation facility that produces electrical energy solely from the combustion of any type of fossil fuel; provided that, a certificate may be issued. Requires that no certificate be issued a permit to any applicant for the construction or operation of a new electrical generation facility that produces electrical energy solely from the combustion of any type of fossil fuel; provided that, a certificate may be issued. -- Amends provisions relating to public utilities commission law. Provides that renewable energy electrical energy savings will not count towards the renewable portfolio standards beginning in 2015. Requires electric utility company that sells electricity for consumption to establish a renewable portfolio standard of 25 percent of its net electricity sales by December 31, 2020 and 40 per cent of its net electricity sales by December 31, 2030. Requires that before 2015, at least 50 per cent of renewable portfolio standards be met and beginning 2015, the entire renewable portfolio standards be met by electrical generation from renewable energy sources. Requires the commission to evaluate the renewable portfolio standards every 5 years beginning in 2013 and report to the legislature. -- Subject to approval from the governor, requires the energy resource coordinator to formulate a systematic process, development of requirements to identify geographic areas with renewable energy resource; develop and recommend incentive plans and programs to encourage the development of renewable energy resources projects; assist public and private agencies in identifying the utility transmission projects or infrastructure for renewable energy resources; assist public and private agencies in coordination with the department of budget and finance in accessing the use of revenue bonds; and develop the criteria or requirements for identifying and qualifying transmission projects or infrastructure. -- Amends provisions relating to renewable energy facilitator; establishment; duties. Requires the renewable energy facilitator to facilitate the efficient permitting of renewable energy project, which include land parcel on which the facility is situated, any renewable energy production structure or equipment, any energy transmission lines from the facility to a public utility's electricity system, and any on site infrastructure for the production of electricity or biofuel from the renewable energy site. Redefines renewable energy facility or facility to include renewable energy between 5 megawatts and 2 megawatts of electricity or a biofuel production facility with a capacity of 1 million gallons annually. -- Establishes provisions relating to energy efficiency portfolio standards. -- Amends provisions for solar water heater system required for new single family residential construction; solar water heater standards. Requires the energy resources coordinator to publicize all applications for a variance within 7 days after receipt of the application and the disposition of all variance applications for a variance within 7 days of the determination. Specifies that the tax credit for single family residential property for solar thermal energy systems be for building permits for single family dwelling that is issued prior to January 1, 2010 (sunset). Provides that unless all or a portion of the wind powered energy system or the photovoltaic energy system is used to fulfill the substitute renewal energy requirement the credit shall be reduced. Requires the public utilities commission to adopt standards for solar water heater systems and allows the commission to contract with the public benefits administration to develop solar water heater standards. -- HB1464 HD3



## HOUSE BILLS THAT PASSED THIRD READING

	Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to ENE then CPN
HB1470 HD1 (HSCR 967)	RELATING TO HAWAII PUBLIC PROCUREMENT CODE. Introduced by: Manahan J, McKelvey A, Keith-Agaran G, Mizuno J Amends provisions relating to application of this chapter. Exempts contracts to procure goods, services, or construction from a source approved as a sole source by the federal government under a grant from the federal government in any procurement funded by state and federal matching funds or by federal funds alone. -- HB1470 HD1 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Single Referral to JGO
HB1471 HD2 (HSCR 872)	RELATING TO FARMS. Introduced by: Manahan J, Yamane R, Magaoay M, Say C, Tsuji C Establishes a food certification pilot program in the department of agriculture to benefit farmers throughout the state. Requires the program to be managed by the department of agriculture and requires the department of health to provide assistance. Requires the program to encourage farmers to form agricultural cooperatives; coordinate purchasing agreements between the agricultural cooperatives and hotels, restaurants, and other buyers in the visitor and hospitality industries; and develop and implement safe food certification for products to promote fresh, high quality, locally grown produce grown by Hawaii farmers. Establishes the food certification pilot program special fund. Appropriation to the department of agriculture for deposit into the special fund for the program. Act to be repealed on June 30, 2011 (sunset). (\$\$) -- HB1471 HD2 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to WTL then WAM
HB1475	RELATING TO THE PUBLIC UTILITIES COMMISSION. Introduced by: Belatti D, Morita H, Hanohano F, Thielen C, Shimabukuro M, Ward G, Lee C, Brower T, Takai K, Marumoto B, Ching C, Nishimoto S, Wakai G Amends provisions relating to public utilities commission law. Requires the commission to post any proceeding within 24 hours after the filing of the petition or application initiating the proceeding on the commission's website and a motion to intervene or participate in a proceeding to be filed and served no later than 20 days after notice of initiation of the proceeding. Exempts proceeding proposed public utility rate increase; a request for issuance or transfer of a certificate of public convenience and necessity; or a request for issuance or transfer of a contract carrier's permit. -- HB1475 Current Status:	Mar=05 09 Introduction/Passed First Reading - Senate Mar=05 09 Single Referral to CPN
HB1479 HD2 (HSCR 945)	RELATING TO LABOR. Introduced by: Nakashima M, Hanohano F, Magaoay M, Chang J, Manahan J Amends provisions relating to payrolls and payroll records. Requires that a certified copy of all payrolls including an itemized list of the cost of all fringe benefits be submitted weekly to the governmental contracting agency for review. Requires that the general contractor be responsible for submitting certified copies of the payrolls and fringe benefits of all subcontractors. Requires that an itemized list of fringe benefits paid for each employee by the general contractor or subcontractor be included in employee payroll records. -- HB1479 HD2 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to LBR then JGO
HB1483 HD1 (HSCR 852)	RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR BETTER PLACE HAWAII, INC. Introduced by: Coffman D, Morita H Authorizes the issuance of special purpose revenue bonds to assist Better Place Hawaii, Inc., a Delaware corporation, for the planning, designing, constructing, and development of transportation infrastructure, equipment, and apparatus to support electric vehicles in Hawaii. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1483 HD1 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to ENE then WAM
HB1491 HD2 (HSCR 853)	RELATING TO ETHANOL FACILITY TAX CREDIT. Introduced by: Chong P Amends provisions relating to the ethanol production facility income tax credit by reducing the maximum credits through December 31, 2012 (sunset). -- HB1491 HD2 Current Status:	Mar=12 09 Introduction/Passed First Reading - Senate Mar=12 09 Multiple Referral to ENE then WAM

## HOUSE BILLS THAT PASSED THIRD READING

- HB1495 HD1 (HSCR 749) RELATING TO STATE INCOME TAX.  
Introduced by: Chong P, Oshiro B  
Amends the standard deduction for income tax purposes as provided by section 165 (with respect to losses) of the Federal Internal Revenue Code by adding the that section 165 (d) (with respect to wagering losses) shall not be operative. -- HB1495 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM
- HB1503 HD1 (HSCR 604) RELATING TO LIMITED LIABILITY COMPANIES.  
Introduced by: Oshiro M  
Establishes provisions relating to public purpose company designation; use of the right to exclude; reporting. Allows any limited liability company to opt to be designated a public purpose company by the director of commerce and consumer affairs and the designation as a public purpose company is irrevocable. Requires each limited liability company designated a public purpose company to file an annual statement to the director of the purposes for which the company used the right to exclude. -- HB1503 HD1  
Current Status: Mar=10 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to CPN
- HB1504 HD1 (HSCR 758) RELATING TO HEALTH.  
Introduced by: Oshiro M, Lee M, Mizuno J, Yamane R  
Establishes the Hawaii health authority law. Establishes the Hawaii health authority within the department of budget and finance to be an autonomous public body corporate and politic and an instrumentality of the State; to be responsible for overall health planning for the State and determine future capacity needs of health providers, facilities, equipment, and support services providers. Requires the authority to submit a comprehensive health plan for all individuals in the State. Report to the legislature. Appropriation. (\$\$) -- HB1504 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH/ CPN/ then WAM
- HB1512 HD1 (HSCR 674) RELATING TO TEMPORARY RESTRAINING ORDERS.  
Introduced by: Karamatsu J  
Amends provisions relating to temporary restraining order. Allows the exclusive care of a pet animal or equine animal to be granted as part of an ex parte temporary restraining order. Prohibits the respondent from visiting, taking, concealing, threatening, physically abusing or otherwise disposing of a pet animal or equine animal. -- HB1512 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to JGO
- HB1518 HD1 (HSCR 890) RELATING TO MOTOR VEHICLES.  
Introduced by: Souki J  
Amends provisions relating to vehicles left unattended on private and public property; sale or disposition of abandoned vehicles. Allows towing companies to charge the general excise tax and county surcharge to the owner of an unattended vehicle on private or public property. -- HB1518 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then WAM
- HB1525 HD1 (HSCR 149) RELATING TO MEDICAID.  
Introduced by: Mizuno J, Brower T  
Establishes provisions relating to procurement of medicaid contracts; nonprofits. Requires the department of human services to solicit proposals from and award contracts to nonprofit insurance entities for medicaid contracts. -- HB1525 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HMS/ CPN/ then WAM
- HB1526 HD2 (HSCR 963) RELATING TO HEALTH.  
Introduced by: Mizuno J  
Establishes provisions relating to franchise retail food establishments; nutritional information. Provides that a franchise retail food establishment shall maintain nutritional information on each standard menu item on the menu, and shall provide this nutritional information to customers. Requires a franchise retail food establishment to provide disclosure of calorie content information on a menu, menu board, or display tag next to a standard menu item. Establishes fines. -- HB1526 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to HTH

## HOUSE BILLS THAT PASSED THIRD READING

- HB1536 HD2 (HSCR 950)      RELATING TO SALARIES.  
Introduced by: Aquino H, Lee C, Nakashima M, Choy I, Coffman D, Keith-Agaran G, Wooley J  
Requires the annual salaries for the governor, lieutenant governor, justices and judges of all state courts, the administrative director of the State or an equivalent position, and the department heads or executive officers and the deputies or assistants to the department heads or executive officers of certain departments, and members of the legislature, to remain the same as they were on January 1, 2009. -- HB1536 HD2  
Current Status:      Mar=12 09 Introduction/Passed First Reading - Senate  
                         Mar=12 09 Multiple Referral to JGO then WAM
- HB1537 HD1 (HSCR 706)      RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS.  
Introduced by: Brower T, Morita H, Berg L, Hanohano F, Lee C, Shimabukuro M, Pine K, Oshiro B, Karamatsu J, Takai K, Mizuno J, Lee M, Coffman D, Wakai G, Ward G, Manahan J, Nishimoto S, Nakashima M, Yamane R, Cabanilla R, Thielen C, Takumi R, Chang J, Finnegan L, Marumoto B, Herkes R, Tokioka J, Ito K, Ching C  
Amends provisions relating to exception to liability. Exempts any person who provides for an automated external defibrillator program. -- HB1537 HD1  
Current Status:      Mar=12 09 Introduction/Passed First Reading - Senate  
                         Mar=12 09 Multiple Referral to HTH then JGO
- HB1538 HD1 (HSCR 964)      RELATING TO ENVIRONMENTALLY-SENSITIVE PRODUCTS.  
Introduced by: Nishimoto S, Morita H, Brower T, Belatti D, Luke S, Saiki S, Lee C, Hanohano F, Takai K, Wakai G, Pine K, Ito K, Rhoads K, Tsuji C, Shimabukuro M, Magaoay M, Souki J, Mizuno J, Oshiro B, Yamane R, McKelvey A, Carroll M, Manahan J, Karamatsu J, Wooley J, Oshiro M  
Establishes provisions relating to environmentally sensitive cleaning and maintenance products for use in public schools; guidelines. Requires the department of health to establish guidelines and specifications for environmentally sensitive cleaning and maintenance products for use in public school facilities. Provides that in developing appropriate criteria for the guidelines and specification, requires the department to review and evaluate existing research regarding environmentally sensitive cleaning and maintenance products, including any research and guidance issued by the US environmental protection agency (EPA). -- HB1538 HD1  
Current Status:      Mar=12 09 Introduction/Passed First Reading - Senate  
                         Mar=12 09 Single Referral to HTH/ EDH/
- HB1544 HD1 (HSCR 750)      RELATING TO TAX EXEMPTIONS.  
Introduced by: Chong P  
Changes personal income tax exemptions to provide that the phaseout under section 151(d)(3) of the Internal Revenue Code, shall apply. -- HB1544 HD1  
Current Status:      Mar=12 09 Introduction/Passed First Reading - Senate  
                         Mar=12 09 Single Referral to WAM
- HB1550 HD2 (HSCR 921)      RELATING TO TAXATION.  
Introduced by: Chong P, Yamashita K, Say C  
Amends the standard deduction for income tax purposes. Provides that in administering section 403 (with respect to taxation of employee annuities) of the Internal Revenue Code, section 403(b)(8)(A)(ii) shall not be operative for the purposes of this chapter. Further provides that in administering section 457 (with respect to rollover amounts in deferred compensation plans for state and local governments) of the Internal Revenue Code, section 457 (e)(16)(A)(ii) shall not be operative. -- HB1550 HD2  
Current Status:      Mar=12 09 Introduction/Passed First Reading - Senate  
                         Mar=12 09 Multiple Referral to LBR then WAM
- HB1552 HD2 (HSCR 934)      RELATING TO PUBLIC LANDS.  
Introduced by: Wooley J  
Authorizes the department of land and natural resources to negotiate and enter into long term residential leases for sites in state parks with acreage greater than 5,000 acres but less than 6,000 acres with persons who reside in a state living park and are contributing at least 25 hours of service each month to benefit the park and other qualified persons identified by the living park master plan approved by the board of land and natural resources. Requires that for each park there be established a living park planning council within the department to develop the a master plan. Reports to the legislature. -- HB1552 HD2  
Current Status:      Mar=12 09 Introduction/Passed First Reading - Senate  
                         Mar=12 09 Multiple Referral to WTL then WAM
- HB1554      RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

## HOUSE BILLS THAT PASSED THIRD READING

- Introduced by: Har S  
Amends provisions relating to the Barbers point naval air station redevelopment; power to redevelop established. Allows the chairperson of the Hawaiian homes commission, and the director of the city and county of Honolulu department of planning to appoint designated representatives to the Hawaii community development authority. -- HB1554  
Current Status: Mar=10 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WTL/ TIA/
- HB1567 HD2 (HSCR 957) RELATING TO SKILLED NURSING FACILITIES.  
Introduced by: Magaoay M, Sagum R, Evans C, Karamatsu J, Carroll M, Brower T, Cabanilla R, Shimabukuro M  
Amends provisions relating to enterprise zones. Redefines qualified business to include a qualified business engaged in the activities of a skilled nursing facility. -- HB1567 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDT/ HTH/ then WAM
- HB1568 HD1 (HSCR 880) MAKING AN APPROPRIATION FOR THE AMERICAN RED CROSS.  
Introduced by: Magaoay M, Chang J, Nishimoto S, Shimabukuro M, Ito K, Sagum R, Yamane R, Brower T  
Appropriation to the department of defense for the American Red Cross, Hawaii chapter. (\$\$) -- HB1568 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then WAM
- HB1583 HD1 (HSCR 759) RELATING TO TAXATION.  
Introduced by: Say C  
Establishes provisions relating to credits against income; claim limitation. Provides that beginning after January 1, 2009, and ending before January 1, 2011, no claim for business credit under income tax, use tax, taxation of banks and other financial corporations, and insurance shall exceed 75 per cent of a taxpayer's tax liability. Act to be repealed on January 1, 2015 (sunset). -- HB1583 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM
- HB1584 HD1 (HSCR 763) RELATING TO THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX.  
Introduced by: Say C  
Amends provisions relating to adjustments and refunds of taxes. Reduces the interest rate to 1/3 of 1 per cent. -- HB1584 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM
- HB1592 HD1 (HSCR 893) RELATING TO HOUSING.  
Introduced by: Say C  
Establishes provisions relating to leveraging of union financing for affordable housing. -- HB1592 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to EDH/ LBR/
- HB1593 HD1 (HSCR 722) RELATING TO REAL PROPERTY.  
Introduced by: Say C  
Establishes provisions relating to leases of commercial and industrial property. Subjects any lease of commercial or industrial leasehold property to certain terms and conditions. Defines commercial or industrial leasehold property as any ground lease of real property situated in the State, zoned for commercial, industrial or mixed use that is subject to a lease with a term of 10 years or more and an unexpired term of 5 years or more and the lessor is the owner of 50,000 square feet or more of the commercial or industrial leasehold property in the State. -- Establishes provisions relating to agricultural leases of real property. Provides that whenever any agreement or document for the lease of private agricultural lands with soil classified by the land study bureau's detailed land classification as productivity rating class A or B for agricultural use in counties with populations of over 500,000 provides for the renegotiation of the rental amount and the term of the lease, and the lessee has made improvements or is seeking to make improvements on the land, the renegotiated term of the lease shall include extension of the lease for a period of not less than 75 per cent of the original term of the lease. -- Requires district boundary amendments involving lands with soil classified as overall productivity rating of class A or B to be processed by the land use commission. -- HB1593 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate

## HOUSE BILLS THAT PASSED THIRD READING

Mar=12 09 Multiple Referral to EDT/ WTL/ then JGO

- HB1598 HD1 (HSCR 751) RELATING TO TAXATION.  
Introduced by: Say C  
Establishes provisions relating to taxable income; leased real property. Provides that at the termination of a lease of real property, the value of capital improvements made by the lessee to the leased property shall be subject to income tax on the lessor of the property. -- Amends income tax provisions to conform the Hawaii income tax law to the Federal Internal Revenue Code. Provides that section 109 (with respect to taxing capital improvements made by a lessee upon the termination of a lease shall not be operative. -- HB1598 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then WAM
- HB1600 HD1 (HSCR 764) RELATING TO THE GENERAL EXCISE TAX.  
Introduced by: Say C  
Provides that the general excise tax law shall not apply to amounts received by 1 related person from another related person. -- HB1600 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM
- HB1604 RELATING TO REAL PROPERTY.  
Introduced by: Say C  
Establishes the tax on surrendered leasehold improvements law. Establishes a tax on the value of improvements on a non residential real property parcel that are surrendered by the lessee to the lessor at the expiration of a long term lease. Requires the counties to collect and enforce the tax. Provides that the county shall retain the cost of collection and 50 per cent of the remainder and the other 50 per cent transmitted to the State. -- HB1604  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then WAM
- HB1605 HD1 (HSCR 752) RELATING TO TAXATION.  
Introduced by: Say C  
Establishes within the department of budget and finance the Hawaii tax review initiative to explore the historical development and evolution of taxation in Hawaii to determine if the State's tax policies are relevant and effective in achieving Hawaii's current long term economic and social goals and objectives. Report to the legislature. Initiative shall cease to exist on June 30, 2010 (sunset). Appropriation. Requires matching funds from private funds. (\$\$) -- HB1605 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM
- HB1607 RELATING TO HAWAII HEALTH SYSTEMS CORPORATION.  
Introduced by: Say C  
Establishes provisions relating to duties and powers of the corporate board. Requires the corporate board of the Hawaii health systems corporation to be a central service and coordination group and provide services under the direction of the regional system board within its own regional system. -- HB1607  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then WAM
- HB1611 HD2 (HSCR 710) RELATING TO LABELING OF MEAT AND FISH PRODUCTS.  
Introduced by: Say C (BR)  
Establishes provisions relating to fish products; labeling. Requires that fish products that have been gas treated to approximate the appearance of freshness to bear a label indicating the type of gas that was used and a statement that the gas was used to approximate the appearance of freshness. -- Amends provisions relating to definitions under the Hawaii meat inspection Act. Requires that meat or meat products that have been gas treated to approximate the appearance of freshness to bear a label indicating the type of gas that was used and a statement that the gas treatment was used approximate the appearance of freshness. -- HB1611 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then CPN
- HB1617 HD1 (HSCR 907) RELATING TO THE UNIVERSITY OF HAWAII AT HILO.  
Introduced by: Chang J, Yamashita K, Magaoay M, Awana K, Nishimoto S, Oshiro B, Brower T, Say C, Karamatsu J, Nakashima M, Manahan J, Ito K  
Establishes provisions relating to office of the vice chancellor for research and economic development at the university of Hawaii at Hilo. Requires the office to coordinate all

## HOUSE BILLS THAT PASSED THIRD READING

undergraduate and graduate science, technology, engineering, and mathematics mentorship programs and integration of ongoing and future research projects. Further requires the office to increase participation of underrepresented cultural, socio economic, and ethnic groups. -- HB1617 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HRE/ EDT/ then WAM

HB1627 HD2 (HSCR 854)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.

Introduced by: Evans C, Hanohano F, Herkes R

Authorizes the issuance of special purpose revenue bonds to assist Carbon Diversion Incorporated, or a partnership in which it is a general partner, for the establishment of a cogeneration and related energy production facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1627 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WAM

HB1628 HD1 (HSCR 855)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIOENERGY HAWAII, LLC.

Introduced by: Evans C, Hanohano F

Authorizes the issuance of special purpose revenue bonds to assist BioEnergy Hawaii, LLC, a Hawaii limited liability company, or a partnership in which it is a general partner, for the establishment of a cogeneration facility and related energy production facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1628 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WAM

HB1636 HD1 (HSCR 926)

RELATING TO EMERGENCY MEDICAL PHYSICIANS.

Introduced by: Yamane R, Oshiro B, Evans C, Chong P, Say C, Magaoay M, Yamashita K, Oshiro M

Establishes provisions relating to exception to liability. Provides that any physician licensed to practice who renders emergency medical care in a hospital to a person who is in immediate danger of loss of life or has serious bodily injury shall not be liable for any civil damages arising from the physician's acts or omissions during the period of emergency medical care unless the damages resulted from the physician's gross negligence or wanton acts or omissions. Provides that any physician who renders emergency obstetrical medical care in a hospital to a person who is in immediate danger of loss of life and who has not received prenatal care or has no previous doctor / patient relationship between the physician or a member of the physician's practice shall not be liable for any civil damages unless damages resulted from the physician's gross negligence or wanton acts or omissions. -- HB1636 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then JGO

HB1639

RELATING TO CONDOMINIUM PROPERTY REGIMES.

Introduced by: Luke S, Nishimoto S, Wakai G, Finnegan L, Brower T, Saiki S, Belatti D

Amends provisions relating to association fiscal matters; lien for assessments. Increases the maximum amount that condominium associations may recover in maintenance fees from the foreclosure of a condominium apartment. -- HB1639

Current Status: Mar=05 09 Introduction/Passed First Reading - Senate  
Mar=05 09 Single Referral to CPN

HB1642 HD1 (HSCR 739)

RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES.

Introduced by: Shimabukuro M, Yamane R, Nishimoto S, Hanohano F

Establishes provisions for proposals. Requires that proposals be submitted by providers duly licensed to conduct the business sought by the request of the proposal and for the exact amount to be expended by the State. -- HB1642 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH/ HMS/ then JGO

HB1663 HD1 (HSCR 717)

RELATING TO TARO SECURITY.

Introduced by: Carroll M, Shimabukuro M, McKelvey A, Hanohano F, Luke S, Morita H, Belatti D

Establishes the genetically modified taro law. Prohibits any person to genetically modify Hawaiian taro, or to develop, test, plant, or grow any Hawaiian taro that has been genetically modified. Allows non Hawaiian taro to be genetically modified inside an enclosed laboratory. Provides

## HOUSE BILLS THAT PASSED THIRD READING

- penalty for any person in violation. -- HB1663 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WTL
- HB1665 HD1 (HSCR 943) RELATING TO HAWAIIAN FISHPONDS.  
Introduced by: Hanohano F, Berg L, Shimabukuro M, Evans C, Belatti D, Har S, Ward G, Luke S, Morita H, Brower T, McKelvey A, Awana K, Lee C  
Amends provisions relating to government owned Hawaiian fishponds by adding sale prohibition. Prohibits the board of land and natural resources from selling public land on which government owned Hawaiian fishponds are located. -- HB1665 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM
- HB1666 HD1 (HSCR 576) RELATING TO THE HAWAIIAN LANGUAGE.  
Introduced by: Carroll M, Luke S, Saiki S, Lee C, Wooley J, Morita H, Belatti D  
Amends provisions relating to the Hawaiian language; spelling. Requires beginning January 1, 2011, all letterhead prepared by or for state or county agencies or offices to include accurate, appropriate, and authentic Hawaiian names and language, including but not limited to macrons and glottal stops printed above the English translations provided that any revision to conform any document or letterhead existing on or before January 1, 2011 to the requirements of this section may be implemented when the document or letterhead requires replacement or reprinting, or otherwise requires revision. -- Amends provisions relating to State language. Requires beginning January 1, 2011 the Hawaiian languages is to be used on all emblems and symbols representative of the State provided that for emblems and symbols existing on January 1, 2011 conformance with this section may be delayed until a replacement for the emblem or symbol is required. -- HB1666 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM
- HB1676 HD1 (HSCR 922) RELATING TO PUBLIC WORKS.  
Introduced by: Oshiro B  
Amends provisions relating to applicability; wages, hours, and other requirements. Adds the requirement that the collective bargaining agreement has been properly submitted to the director of labor and industrial relations. -- HB1676 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to LBR then WAM
- HB1678 HD1 (HSCR 856) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.  
Introduced by: Oshiro B, Chong P, Yamashita K, Morita H, Say C  
Authorizes the issuance of special purpose revenue bonds to assist LifeGrid Solutions, LLC, or a partnership in which it is a general partner, with the planning, design, and constructing of a biofuel refinery and research facility on the island of Oahu with primary production volumes of 40 million gallons per year of biodiesel and future capability of 100 gallons per year of ethanol. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1678 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WAM
- HB1686 HD2 (HSCR 965) RELATING TO CHARTER SCHOOLS.  
Introduced by: Takumi R  
Amends provisions relating to charter schools. Repeals provisions that the financial plans be based on the most recent fiscal year's per pupil charter school allocation. -- HB1686 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH then WAM
- HB1692 HD2 (HSCR 951) RELATING TO HOUSING.  
Introduced by: Cabanilla R  
Amends provisions relating to rental by adding leases. Prohibits a public housing tenant, except for persons 55 years and older, persons with mentally or physically disability or retired for medical reasons to rent, lease, or occupy any dwelling for more than 5 years. -- HB1692 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH then WAM
- HB1693 HD1 (HSCR 962) RELATING TO WEST OAHU.  
Introduced by: Cabanilla R  
Requires the office of planning to examine and review the city and county of Honolulu's revised

## HOUSE BILLS THAT PASSED THIRD READING

Ewa development plan to evaluate and determine if the plan sufficiently addresses whether the infrastructural needs of the rapidly developing West Oahu area are adequately met. Report to the legislature. -- HB1693 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then WTL

HB1694 HD2 (HSCR 805)

RELATING TO PUBLIC HOUSING.

Introduced by: Cabanilla R

Amends provisions relating to acquisition, use, and disposition of property. Requires the Hawaii public housing authority to establish a schedule setting the minimum rent for state public housing units by number of bedrooms and type of project; charge no less than \_\_\_\_ dollars per month for any state public housing unit; and annually adjust the minimum rent by the percentage, if any, by the consumer price index for the year exceeds the consumer price index for the prior year. Requires the authority to seek reimbursement from tenants for the full cost incurred in repairing damages to a tenants unit. Prohibits the authority to establish preferences for selection of tenants and provides that the rates of the rental be no less than the minimum rent. -- HB1694 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to EDH then WAM

HB1696 HD2 (HSCR 712)

RELATING TO MOTOR VEHICLE RENTAL INDUSTRY.

Introduced by: Souki J

Amends provisions relating to rental agreement under motor vehicle. Changes collision damage to damage waiver. Allows lessor to place pamphlets in a wall holder and sign or signs in a conspicuous place in the main rental area of all rental locations. Repeals provision relating to requirements and penalties of Hawaii's seat belt laws and child passenger restraint laws. Prohibits unfair trade practice for costs of the parts and labor necessary to repair a damaged vehicle in accordance with standard practice in the motor vehicle repair industry in the community. Repeals provisions relating to collision damage waiver statistics. -- HB1696 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TIA then CPN

HB1712 HD2 (HSCR 924)

RELATING TO FISHING.

Introduced by: Ito K

Requires the department of land and natural resources to continue to hold public informational meetings on the taking and protection of uhu, weke / moana kali, and ulua / papio. Further requires the department to develop a monitoring and evaluation program to determine the effects of that runoff, sedimentation, pollution, lack or profusion of fresh water intrusion, and the introduction of invasive species have on the ecosystem and the fish. Further requires the department to develop a monitoring and evaluation program to determine the outcomes to be achieved by the implementation of any proposed rules and estimate timeframes through which the outcomes will be achieved. Act to be repealed on December 31, 2020 (sunset). -- HB1712 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM

HB1713 HD2 (HSCR 815)

RELATING TO HAZARDS.

Introduced by: Wooley J

Establishes provisions relating to civil defense powers; mitigation of hazardous situations. Authorizes the governor to enter onto private property when no civil defense emergency exists to mitigate a situation deemed by the governor to be hazardous to the health and safety including stabilizing or removing unstable rock and soil hazards, cleaning streams and waterways to mitigate or prevent flooding and other disasters, with 5 day notice to the landowner. Authorizes the governor to recover the costs of cleaning if the landowner has been sufficiently notified and has failed to comply. Authorizes the district court to issue warrants directing a police officer to assist the governor in gaining entry. -- HB1713 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then JGO

HB1728 HD1 (HSCR 740)

RELATING TO FEES.

Introduced by: Say C

Amends provisions relating to state service fees; increase or decrease of. Extends the authority of the respective board, commission or other governmental body to maintain a reasonable relation between the revenues derived from the fee or nontax revenue and the cost or value of the services rendered to the payer or regulatory protection provided to the public. Act to be repealed on June 30, 2015 (sunset). -- HB1728 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate



## HOUSE BILLS THAT PASSED THIRD READING

Mar=12 09 Multiple Referral to JGO then WAM

- HB1729 RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS.  
Introduced by: Say C  
Establishes provisions relating to department of consumer affairs. Requires that payments of the amounts attributable to the interest on the principal of the general obligation bonds authorized and issued for the acquisition and renovation of the old federal building for the department of commerce and consumer affairs be made out of the compliance resolution fund. -- HB1729  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then WAM
- HB1730 HD1 (HSCR 729) RELATING TO STATE FINANCES.  
Introduced by: Say C  
Requires the director of finance to transfer from the Hawaii cancer research special fund into the general fund. Authorizes the issuance of general obligation bonds for appropriation to the university of Hawaii for construction of the cancer research center of Hawaii. (\$\$) -- HB1730 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HRE/ HTH/ then WAM
- HB1731 HD1 (HSCR 760) RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND.  
Introduced by: Say C  
Amends provisions relating to the Hawaii tobacco settlement special fund. Changes the allocation amounts and adds that 25 per cent be deposited to the state general fund. Act to be repealed on June 30, 2011 (sunset). -- HB1731 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then WAM
- HB1735 HD1 (HSCR 753) RELATING TO GENERAL EXCISE TAX.  
Introduced by: Say C  
Amends provisions relating to general excise taxes by changing the day of payment from the last day of the calendar month to the 20th day of the calendar month. Applies to taxes due on June 20, 2009 (sunset). -- HB1735 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM
- HB1739 HD1 (HSCR 754) RELATING TO TAXATION.  
Introduced by: Say C, Yamashita K  
Prohibits a taxpayer to be eligible to claim any income tax credit on grants received from the federal government. -- HB1739 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM
- HB1741 HD1 (HSCR 741) RELATING TO THE CONVEYANCE TAX.  
Introduced by: Say C  
Amends provisions relating to land conservation fund. Repeals the provisions that 10 per cent of the conveyance taxes collected be deposited into the fund and provides that the percentage deposited into the fund is under the disposition of conveyance taxes. -- Amends provisions relating to disposition of conveyance taxes. Suspends the distribution to the land conservation fund from July 1, 2009 to June 30, 2015 (sunset), reduces the distribution to the rental housing trust fund from July 1, 2009 to June 30, 2015, and reduces the distribution to the natural area reserve fund from July 1, 2009 to June 30, 2015. -- HB1741 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM
- HB1744 HD1 (HSCR 742) RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.  
Introduced by: Say C  
Amends provisions relating to the transient accommodations tax. Suspends the distribution to the counties from July 1, 2009 to June 30, 2015 (sunset). -- HB1744 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TSM/ TIA/ then WAM
- HB1747 HD1 (HSCR 765) RELATING TO TAXATION.  
Introduced by: Say C  
Amends the standard deduction for income tax purposes as provided by section 63 (with respect to taxable income defined) of the Federal Internal Revenue Code by increasing the amounts. -- Amends provisions relating to income tax rates by changing the tax brackets beginning after

## HOUSE BILLS THAT PASSED THIRD READING

December 31, 2008. Establishes tax brackets for taxable income over 250,000 dollars through over 550,000 dollars. -- Increases personal income tax exemptions. -- Provides that no penalty or interest shall be imposed because of underpayment of tax attributable to the increase in the tax rates by a taxpayer or employer until 90 days after this Act becomes law or the taxpayer's estimated payment due immediately after this Act becomes law. Act to be repealed on December 31, 2015 (sunset). -- HB1747 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM

HB1748 HD1 (HSCR 743)

RELATING TO INSURANCE PREMIUM TAXES.

Introduced by: Say C

Amends provisions relating to taxation under fees, taxes and deposits law. Changes life insurance contracts tax on gross premiums and ocean marine insurance contracts tax on gross underwriting profit. Act to be repealed on December 31, 2020 (sunset). -- HB1748 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then WAM

HB1749 HD1 (HSCR 761)

RELATING TO THE INSURANCE PREMIUM TAX.

Introduced by: Say C

Establishes provisions relating to medical workforce promotion, health workforce education, or indigent health care program; insurance premium tax credit. Allows an insurer that offers health insurance plans within the State to claim medical workforce promotion, health workforce education, or an indigent health care program tax credit against the tax imposed on the gross premiums written on plans. Provides that authorized insurer includes a mutual benefit society, and health maintenance organization (HMOs) that offers a health care insurance plan. Provides that tax imposed to mutual benefit societies and nonprofit health maintenance organizations, when paid, to be in settlement and in lieu of all demands for real property taxes by a county. Amends provisions relating to nonprofit medical, hospital indemnity associations; tax exemption. Adds insurance premium tax. Act to be repealed on June 30, 2026 (sunset). -- HB1749 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN/ HTH/ then WAM

HB1751 HD1 (HSCR 677)

RELATING TO COMMUNICATIONS FRAUD.

Introduced by: Say C, Karamatsu J

Establishes civil remedies; communication services. Allows any communication service provider aggrieved by a violation to bring a civil action to obtain preliminary or final injunctions to prevent or restrain violation, to prevent destruction of evidence, or to prevent dissipation of profits properly recoverable; monetary damages and reasonable attorneys' fees and investigation costs. Establishes provisions for communication service fraud in the 1st and 2nd degree. Provides civil remedies including forfeiture. Establishes evidentiary presumption. Amends cable television systems law to communication services law. -- HB1751 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to CPN then JGO

HB1763 HD2 (HSCR 873)

RELATING TO THE HAWAII TOURISM AUTHORITY.

Introduced by: Manahan J, Yamane R, Tokioka J, Shimabukuro M, Bertram J, Herkes R, Hanohano F, Mizuno J, Oshiro B, Awana K, Carroll M, Lee M

Establishes the department of tourism law. Requires the department to promote activities, maintain, and expand the state's domestic and international travel market. -- Changes the department of business, economic development, and tourism to the department of business and economic development. Repeals the Hawaii tourism authority and transfers function to the department of tourism. -- HB1763 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to TSM then WAM

HB1766 HD2 (HSCR 935)

RELATING TO SMALL BOAT HARBORS.

Introduced by: Tokioka J, Har S, Ito K, Sagum R

Amends provisions relating to purpose and use of state small boat harbors. Allows the board of land and natural resources to lease submerged lands by public auction, request for proposals or direct negotiation. Provides that a vessel that is used for recreational boating activities, landing of fish and commercial boating activities may be moored in the Ala Wai boat harbor if the vessel has a valid permit for a moorage in the harbor. Requires that the total number of valid commercial use permits that may be issued for vessels assigned mooring at Ala Wai boat harbor shall not exceed 15 per cent of the total berths and shall not exceed 35 per cent of the total berths at Keehi boat harbor. Requires that vessels issued commercial use permits at Ala Wai boat harbor not exceed 65 feet in length, occupy not more than 56 berths located among the row of

## HOUSE BILLS THAT PASSED THIRD READING

berths furthestest mauka or adjacent to Holomua street, with a priority assigned to row 700 and row 800, and be phased in a manner that does not displace any existing recreational boater or existing catamaran operator and include commercial catamarans which have commercial use permits or existing registration certificates that allow the catamarans to operate upon Waikiki shore waters for hire. Requires that the board designate mooring areas for commercial vessels within Ala Wai and Keehi boat harbors to minimize the effects on the harbors and recreational boaters. Requires moorage fees to be established by appraisal by a state licensed appraiser approved by the department of land and natural resources and be set by appraisal categories schedule A (existing permittees) and schedule B (new permittees). Authorizes the department to assess and collect utility fees. -- HB1766 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to WTL then WAM

HB1768 HD1 (HSCR 410)

RELATING TO PROCUREMENT.

Introduced by: Tokioka J, Har S

Amends provisions relating to bid security. Changes the construction contract amount which requires bid security to the amount specified in the section on small purchases; prohibition against parceling. -- HB1768 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to JGO then WAM

HB1776 HD1 (HSCR 881)

RELATING TO PUBLIC ASSISTANCE.

Introduced by: Awana K, Takai K, Cabanilla R, Nishimoto S, Hanohano F, Chong P, Mizuno J, Lee M

Establishes provisions relating to public assistance; inmates; monthly reports to department of human services. Requires the director of department of public safety to prepare and transmit to the department of human services monthly reports listing all inmates newly admitted during the previous month to any correctional facility within the State. Amends provisions relating to applications for public assistance; manner, form, conditions. Requires the department of human services to examine each monthly list of newly admitted inmates to a correctional facility in the State, regardless of the nature of the offense for which an inmate is incarcerated or duration of incarceration to identify an inmate's status with respect to the inmate's current receipt of public assistance. -- HB1776 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM/ HMS/ then WAM

HB1782 HD2 (HSCR 906)

RELATING TO HEALTH INFORMATION EXCHANGE.

Introduced by: Karamatsu J

Establishes provisions relating to health information exchange. Establishes the office of state coordinator of health information exchange within the department of accounting and general services to implement an integrated electronic health information infrastructure; enhance broad and varied participation in the authorized and secure nationwide electronic use; coordinate local efforts, provide governance and guidance, including technical assistance for the development and dissemination of solutions to barriers; collaborate with the department of health, department of human services, health care providers, and health care facilities; promote effective strategies to adopt and use health information technology across the state; assist patients in using health information technology; begin implementation of the statewide strategic plan no later than January 1, 2010; and administer the network. Allows the department to contract some or all of its duties with a 3rd party or parties to administer any single component or combination of components of the office. Establishes the health information technology task force within the department to develop a 10 year strategic plan. Establishes within the state treasury the health information exchange special fund to be administered by the department of accounting and general services. Requires the department to assess the effectiveness of the office of state coordinator of health information exchange, the health information exchange network, and the health information task force. Require the department and the department of health to submit a joint report to the legislature. Appropriation. (\$\$) -- HB1782 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then WAM

HB1784 HD2 (HSCR 723)

RELATING TO MEDICAL TORTS.

Introduced by: Karamatsu J (BR)

Amends provisions relating to the medical torts law. Establishes provisions relating to limitation on noneconomic damages. Limits the noneconomic damage against a physician specialist to \_\_\_\_\_ dollars. -- Establishes provisions relating to assessing percentage of negligence. Provides that upon request of any nonsettling healthcare provider against whom a plaintiff alleges a medical tort causing injury, the trier of fact shall assess any percentage of negligence of all

## HOUSE BILLS THAT PASSED THIRD READING

alleged parties. -- Establishes provisions relating to economic damages. Provides that a trier of fact may render a verdict for the plaintiff in a medical tort action that includes economic damages. -- Establishes provisions relating to proportionate allocation of economic damages. Provides that the amount of economic damages allocated to a physician specialist in a medical tort action shall be based upon the specialist's proportionate percentage of negligence or other fault. -- Establishes provisions relating to allocation of noneconomic damages. Provides that if the trier of fact renders a verdict for the plaintiff in a medical tort action, the court shall enter judgment of liability against each defendant physician specialist in accordance with the percentage of negligence or other fault for noneconomic damages that is attributed to the physician specialist by the trier of fact. -- Establishes provisions relating to noneconomic damages; physician specialist maximum award limit. Set the limit at \_\_\_\_ dollars. -- Amends provisions relating to medical torts; limitation of actions; time. Provides that action shall commence within 3 years after the date of injury or 1 year after the plaintiff discovers the injury. Provides that this 3 year time limit shall be tolled for proof of fraud; intentional concealment; and the presence of a foreign body that has no therapeutic or diagnostic purpose or effect in the person of the injured person. Further provides that actions by a minor shall be commenced within 3 years from the date of the alleged wrongful act. Further provides that if the minor is under the age of 6 actions shall be commenced within 3 years of manifestation of injury rather than within 6 years, or prior to the minor's 8th birthday. -- Defines physician specialist to mean a physician or osteopathic physician. All the above repealed on June 30, 2014 (sunset). -- Requires all insurers providing professional liability insurance for health care providers in the state to implement a premium rate, established by the insurance commissioner, that is based on the average of the premium rates in effect between January 1, 2003 and December 31, 2009, for physicians or osteopathic physicians, provided that such a premium rate reduction shall not cause imminent insolvency or fail to provide a fair rate of return. -- Establishes a medical malpractice task force in the department of commerce and consumer affairs to develop a strategic plan to address the high costs of medical malpractice insurance rates, study medical tort reform, patient compensation funds, caps on noneconomic damages, health courts, doctor recruitment and retention incentives, and advancing health information technology, and develop recommendations on damage award ranges and guidelines for malpractice claims. Report to the legislature. Task force shall cease to exist on June 30, 2011 (sunset). -- Establishes a medical malpractice rate commission within the department that shall convene ever 3 years to evaluate medical malpractice which shall be used to determine malpractice insurance rates. Repealed on June 30, 2014 (sunset). -- Requires the department to report to the legislature on the any benefits and detriments related to this Act. -- Establishes provisions relating to duty to notify patients of adverse events; definitions; penalty; rules. Requires an appropriately trained designee of a health care provider to notify in person each patient, or the patient's relative or representative, regarding any adverse events that results in serious harm or death to the patient within 72 hours of the adverse event or discovery. -- HB1784 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to HTH then JGO

### HB1807 HD1 (HSCR 264)

#### RELATING TO WATER QUALITY.

Introduced by: Morita H

Establishes provisions relating to use of American Recovery and Reinvestment act of 2009 funds and other federal moneys. Allow the director of health to provide financial assistance to public water systems for the construction of necessary drinking water infrastructure projects, through the drinking water fund, using moneys from the American Recovery and Reinvestment Act of 2009 and other applicable federal acts. Allows the director to provide financial assistance for publicly owned wastewater treatment works for the construction of necessary wastewater infrastructure projects, through the water pollution control revolving fund established by using money from the American Recovery and Reinvestment Act of 2009 and other applicable federal acts. Appropriation out of federal funds received by the State from the American Recovery and Reinvestment Act of 2009 and any other applicable federal acts to fund drinking water and wastewater infrastructure projects. (\$\$) -- HB1807 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE/ TIA/ then WAM

### HB1809 HD2 (HSCR 970)

#### RELATING TO RECYCLING.

Introduced by: Morita H, Lee C, Coffman D, Ching C, Evans C, Shimabukuro M, Carroll M, Thielen C, Nishimoto S, Brower T, Mizuno J, Herkes R

Establishes the television recovery system law. Prohibits a television manufacturer to sell a television unless it is labeled with a brand and the brand is included in a registration filed with the department of health. Prohibits a retailer to sell any television unless a visible permanent label identifying the manufacturer has been registered with the State. Requires manufacturer to recycle or arrange for recycling of televisions. Requires the department of health to a develop consumer

## HOUSE BILLS THAT PASSED THIRD READING

education program. Annual report to the legislature. -- HB1809 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to ENE then WAM

HB1829 HD1 (HSCR 744) RELATING TO ECONOMIC STIMULUS.  
Introduced by: Chong P, Say C  
Directs the director of finance to release funds required to match federal funds from the American Recovery and Reinvestment Act within 15 days of the receipt of federal funds for county projects and 30 days of the receipt of federal funds for state projects. Annual reports to the legislature by the governor and mayor of each county. Act to be repealed on December 31, 2012 (sunset). -- HB1829 HD1  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Single Referral to WAM

HB1831 HD2 (HSCR 781) RELATING TO MILITARY AFFAIRS.  
Introduced by: Chong P, McKelvey A  
Establishes the military affairs liaison law. Establishes a military affairs liaison special fund as a separate fund of a nonprofit entity having a board of directors. Requires the adjutant general with the concurrence of the governor to select the nonprofit entity. Requires the entity to serve as liaison to the military in Hawaii. Appropriation. (\$\$) -- HB1831 HD2  
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate  
Mar=12 09 Multiple Referral to PSM then WAM